



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

**CITY COUNCIL MINUTES**

**Tuesday, November 6, 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** – Led by Senior Pastor Dan Katches, Covenant Presbyterian Church

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

The City Manager introduced James Throop, who recently joined City staff as Administrative Services Director

**PUBLIC COMMENTS**

- Norma Moye, Downtown Main Street Association promoting Elegant Evening, November 17, 2007
- Russell Peterson, concerning disabled parking in the downtown core
- Patricia Zuccaro, regarding code enforcement issues in industrial area abutting Sierra Bonita Village
- Michael Rivera, concerning Walnut Drive traffic issues, and immigration reform
- John Borst, regarding proposed Nacimiento Water Project water rates

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

## PRESENTATIONS

### 1. Recognition – PRHS Foreign Exchange Students and Host Families

F. Mecham, Mayor

Kathy Meyers and Greg Williams assisted the Mayor in presenting recognition certificates to the students and host families.

Charles Amaning-Kwarteng, Ghana (The Hoops Family)  
Anita Bodnar, Hungary (The Takacs Family)  
Sophie Braconnier, Belgium (The Harrington Family)  
Aurora Chun, Paraguay (The Tubbs Family)  
Hortensia Hurst, Germany (The Carroll Family)  
Jaakko Korhonen, Finland (The McPartlan & Basinger/Ellison Families)  
Steffen Ohmann, Germany (The Williams Family)  
Arnaud Paulet, Belgium (The Conklin-Wishon Family)  
Alexander Seidel, Germany (The Anspaugh-Michel Family)  
Chi Vu, Vietnam (The Dallons Family)  
Emanuel Wollersheim, Germany (The Benjamin-Vetter Family)  
Ouyang Xin Dan, China (The Milburn Family)

### 2. Recognition - Paso Robles High School, CIF Southern Section, "2007 Champion for Character School"

F. Mecham, Mayor

In partnership with the Josephson Institute, the California Interscholastic Federation (CIF) created the "A Champion for Character School"<sup>SM</sup> program, designed to recognize the significant impact school athletics can play in society. Recently the CIF Southern Section, representing 571 schools, and more than 800,000 students, selected PRHS as one of six schools to be honored as "A Champion for Character School". The program recognizes schools for creating an athletic program that supports academic achievement, encourages sportsmanship, and fosters effective, character-based behavior.

The Mayor presented the certificate with members of Paso Robles School Board of Trustees, School District Superintendent Sayne, Principal Railsback, and Athletic Director Mark Rose accepting.

## PUBLIC HEARINGS – None

## CONSENT CALENDAR

Mayor Mecham called for public comments on Consent Calendar items. Items No. 6 and 7 were pulled for presentation by Mayor Mecham. There were no comments from the public, either written or oral, and the public discussion was closed.

### 3. Approve City Council minutes of October 11 and 16, 2007

D. Fansler, City Clerk

### 4. Approve Warrant Register: Nos. 73147—73251 (10/11 /07), 73252-73464 (10/19/07), 73465—73588 (10/26/07), and Other Payroll Services

J. Throop, Director of Administrative Services

5. Receive and file Advisory Body Committee minutes as follows:  
 Citizens Airport Advisory Committee meeting of September 27, 2007  
 Library Board of Trustees meeting of September 13, 2007  
 Parks and Recreation Advisory Committee meeting of September 11, 2007  
 Promotion Coordinating Committee meeting of October 11, 2007
6. **(Pulled for Presentation) Certificate of Recognition, honoring Charles Miller** for his decade of service to the City, on his retirement from the Citizens' Airport Advisory Committee.  
 F. Mecham, Mayor
7. **(Pulled for Presentation) Proclamation designating November 2007 as Toy Bank Month.**  
 F. Mecham, Mayor
8. Approve 4-year contract with Paso Robles Main Street, Inc. for provision of downtown promotional services. The proposed payments are included in the adopted 4-year Financial Plan.  
 J. App, City Manager
9. Adopt Resolution No. 07-215 appropriating \$25,000 from the Building Education Reserve Fund to cover the cost of education of Building Personnel for fiscal year 2008.  
 D. Monn, Director of Public Works
10. Adopt Resolution No. 07-216 appropriating \$35,000 to cover the cost of electronic archiving copies of building plans associated with commercial, industrial, and multi-family development for fiscal year 2008.  
 D. Monn, Director of Public Works
11. Adopt Resolution 07-217 accepting Robbins Field Landscape Improvement Construction Project, DPW 06-21, for ongoing maintenance. The project passed final inspection on October 12, 2007.  
 D. Monn, Director of Public Works
12. Adopt Resolution 07-218 authorizing the recordation of Tract 2864, a 5-lot residential subdivision with one common lot at 3424 Park Street. All conditions imposed by the Planning Commission have been satisfied. Annexation into the Community Facilities District for public services is not required since the parcels were occupied with residential structures prior to tentative approval of the subdivision (Davis).  
 R. Whisenand, Community Development Director

Consent Calendar Items Nos. 3—5 and 8—12 were approved on a single motion by Councilmember Strong, seconded by Councilmember Hamon, with Councilmembers Strong abstaining on Warrant Register Items No. 073200, Picanco abstaining on Register Item No. 073573, and Mayor Mecham abstaining on Register Items No. 073293, 073410 and 073567.

Motion passed by the following unanimous roll call vote:

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

Mayor Mecham presented a Certificate of Recognition to Charles Miller, with assistance from members of the Citizens' Airport Advisory Committee.

Mayor Mecham presented a certificate proclaiming November 2007, as "Toy Bank Month" in Paso Robles, to Jim Hawkins, a director of the charitable organization.

On a motion by Councilmember Nemeth, and by General Consent, Consent Items 6 and 7 were approved.

## DISCUSSION

### 13. Economic Strategy - Positioning: Marketing Plan

J. App, City Manager

The City Council considered a tourism marketing plan, the establishment of a budget for, and hiring of, a City staff member to support tourism efforts.

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 the proposed Marketing Plan, and establish a tourism position at the Administrative II level.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

### 14. 2008 Community Development Block Grant (CDBG) Program

R. Whisenand, Community Development Director

The City Council recommended applications for the City's 2008 Community Development Block Grant (CDBG) funds in the draft Annual Action Plan, and set the date for the public hearing for the 2008 CDBG allocations. The estimated amount of CDBG funds for 2008 distribution is \$309,471. Ed Gallagher, Housing Programs Manager, presented the staff report.

Mayor Mecham opened the public hearing. Speaking from the public was Dale Gustin, Linda Lowry (Big Brothers & Sisters of SLO County), Trish Murley (CASA Advocacy for Teens). 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 identify the following applications to be listed in the Draft One-Year Action Plan as being recommended for funding, and set Thursday, February 7, 2008 as the date for the public hearing for 2008 CDBG allocations:

Sidewalks on Riverside Avenue and 24 <sup>th</sup> Street	\$ 203,050
Public Services Activities	46,421
Administration	60,000
<u>Total</u>	<u>\$ 309,471</u>

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**15. Workforce Housing Grant Program: Appropriation of Funds**

R. Whisenand, Community Development Director

The City Council considered budget appropriations for projects to be accomplished with the City's allotment of 2004 and 2006 Workforce Housing Reward (WFHR) Grant funds. 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 Hamon, seconded by Councilmember Strong, moved to adopt Resolution No. 07-219 appropriating \$183,700 in Workforce Housing Reward Grant Funds for the Riverside Avenue Sidewalks Project.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**16. Policies for Private Water Well Use**

D. Monn, Public Works Director

The City Council considered a Municipal Code Amendment to Title 14 outlining permit requirements for the development and use of private wells. John Falkenstien, City Engineer, presented the staff report.

Mayor Mecham opened the public hearing. Speaking from the public was Joyce Fray, Dick Willhoit. Mr. Willhoit requested a continuance of the item to allow for additional time to consult with City staff on the proposed policy change regarding private water well use.

Councilmember Picanco, seconded by Councilmember Hamon, moved to continue the item to a date uncertain.

Motion passed by the following unanimous voice vote.

**Council adjourned for a 5-minute recess at 9:15 PM and reconvened at 9:20 PM with all Councilmembers present.**

**17. Request for Continual Use of a Loading Zone – 1244 Park Street (Raines)**

R. Whisenand, Community Development Director

The City Council considered a request to allow continual use of a painted loading zone on 13<sup>th</sup> Street, adjacent to 1244 Park Street from October 31 to November 21, 2007 to accommodate the placement of a roll-off dumpster during demolition work. John Falkenstien, City Engineer, presented the staff report.

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 Picanco, seconded by Councilmember Strong, moved to affirm the approval by the City Engineer of an encroachment permit for continuous use of a loading zone for a roll-off dumpster on 13<sup>th</sup> Street, adjacent to 1244 Park Street, and to allow a one-time extension to November 30, 2007, if needed by the applicant.

Motion passed by the following unanimous roll call vote:

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

**18. Use of Septic System and Private Well for Domestic Purposes at 3189 Highway 46 E (Hayley)**

R. Whisenand, Community Development Director

The City Council considered a request to construct a septic tank and leach field to serve a new secondary residence, and allow continued use of private well for domestic purposes on property located at 3189 Highway 46 East, APN 025-371-021. John Falkenstien, City Engineer, presented the staff report, and distributed a revised resolution for the continued well use.

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 by separate motions to:

1. Adopt Resolution No. 07-220 authorizing the use of septic system for a secondary single-family residence at 3189 Highway 46 East subject to conditions; and
2. Adopt revised Resolution No. 07-221 authorizing continued use of a well to serve a secondary residence at 3189 Highway 46 E.

Both Motions passed by the following unanimous roll call vote:

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

**19. Highway 46E Alternative Route Study - City Traffic Model Update, City Circulation Element Update**

R. Whisenand, Community Development Director

The City Council considered authorizing a series of contracts with Fehr and Peers Transportation Consultants for traffic engineering services for the Highway 46 East corridor, with appropriations to come from Gas Tax Funds. John Falkenstien, City Engineer, presented the staff report. The consultants propose three phases of the study:

Phase 1	Parallel Routes Study .....	\$ 45,000
Phase 2	Traffic Model Update .....	\$ 95,000
Phase 3	Circulation Element Update.....	\$ 80,000

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. 07-222 authorizing a contract with Fehr and Peers Transportation Consultants for all phases of the proposed traffic engineering services, and approving a budget appropriation from gas tax funds, when needed, not to exceed \$225,000.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**20. Red Curb Policy at Mail Box Locations**

D. Monn, Public Works Director

The City Council considered adopting a policy that installation of red curb markings at mailboxes may be considered if the postmaster certifies that mail deliveries are impaired as a result of ongoing parking at the mail receptacle. Charles Lorenzen, Maintenance Supervisor, presented the staff report.

Mayor Mecham opened the public hearing. Speaking from the public was William Standifer. 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 adopt a policy that the installation of red curb markings, at gang mailboxes only, may be considered if the postmaster provides written certification that mail deliveries are impaired as a result of ongoing parking at the mail receptacles.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**21. Federal Transportation Audit Compliance – Adoption of Updated Policies**

J. Sorenson, Finance Manager

The City Council considered approval of a Transit Procurement Policies and Procedures Manual, updated Drug-Free Workplace Policy, and an independent Federal Drug & Alcohol Testing Program related to the FTA's August 2007 audit of the City's transit operations.

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. 07-223 approving the Transit Procurement Policies and Procedures Manual, updated Drug-Free Workplace Policy, and independent Federal Drug & Alcohol Testing Program.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**22. Landscape and Lighting District Engineering Services**

D. Monn, Public Works Director

The City Council considered awarding a two-year contract, with option to extend to 10 years, to MuniFinancial for ongoing Landscape and Lighting District engineering services. Dennis Fansler, Maintenance Supervisor, 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 Nemeth, seconded by Councilmember Hamon, moved to adopt Resolution No. 07-224 awarding a two-year contract extension (with the option of up to 10 years), in the amount of \$12,500 to MuniFinancial for preparation of the annual engineer's report, and compensation as approved for new development review and monitoring support and annexation/formation services.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**23. City Attorney Fees for Code Enforcement**

L. Solomon, Chief of Police

The City Council considered a rate adjustment for city attorney fees relative to code enforcement legal services.

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 adopt Resolution No. 07-225 authorizing a contract with Shipsey & Seitz, Inc. for code enforcement legal services at a new rate of \$160.00.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

**24. Special Joint City Council/Planning Commission Meeting**

**- Chandler Ranch**

R. Whisenand, Community Development Director

The City Council considered scheduling a joint study session with the Planning Commission and property owners regarding the Chandler Ranch Area Specific Plan (CRASP).

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

By General Consent, Council set a noticed Joint Meeting with the Planning Commission for Tuesday, November 27, 2007.



**CITY MANAGER** - None

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION**

**25. Planning Commission & Project Area Committee –  
Schedule Dates for Applicant Interviews/Appointments**

R. Whisenand, Community Development Director

The City Council considered setting the dates for interviews of candidates for filling vacancies on the Planning Commission and Project Area Committee.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed. The City Council continued setting a date for the Project Area Committee to January 2008.

By General Consent, Council set Thursday, December 13, 2007 at 7:00 PM, as the date for interviewing applicants and making appointments to the Planning Commission.

**AD HOC COMMITTEE COMMUNICATION**

**COUNCIL COMMENTS** (Including oral reports on conferences attended) – None

By unanimous voice vote, Council moved to adjourn from regular session at 10:24 PM.

**ADJOURNMENT:**

THE SPECIAL CITY COUNCIL MEETING, IMMEDIATELY FOLLOWING THE NOVEMBER 6, 2007 REGULAR MEETING, 2<sup>ND</sup> FLOOR, 1000 SPRING STREET

THE SAN LUIS OBISPO COUNTY ECONOMIC FORECAST, AT 7:30 AM, ON FRIDAY, NOVEMBER 16, 2007 AT THE CAL POLY PERFORMING ARTS CENTER, SAN LUIS OBISPO.

THE RETIREMENT DINNER FOR DR. PATRICK SAYNE, SUPERINTENDENT OF THE PASO ROBLES JOINT UNIFIED SCHOOL DISTRICT, AT 4:30 PM, ON SUNDAY, NOVEMBER 18, 2007 AT THE PARK BALLROOM, PASO ROBLES

THE REGULAR MEETING AT 7:30 PM ON TUESDAY, NOVEMBER 20, 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.**

**Nov 6, 2007 City Council**

**On Sept 18, 2007, seven weeks ago I appealed to this Council for help regarding the Industrial area behind our homes. Noise from the machinery outside the buildings now has increased with more intensity at this date. Four members of this council, Mr Nemeth, Mr Fred Strong, Mr Duane Picanso and Mayor Frank Meacham anticipated this problem when they met in Dec. 2004 as members of the Redevelopment Implementation Plan for the city of Paso Robles, Ca.**

**I quote; Sec 111 Item 7 Planned Industrial 2.3 Incompatible Uses, pg 14**

**Throughout the project area can be found juxtaposition of Commercial, Industrial and Residential uses, without proper planning for mixed uses. The result is Residential uses exposed to Commercial and Industrial noise and Traffic which not only affects the Residential user but applies pressure on Commercial and Industrial users to operate at lower capacities which in turn discourages businesses from expanding or locating in the downtown or even in the city.**

**In light of this information, I am asking now what are you going to do for us?? Are we to just endure the problem, altering our homes with sound barriers, triple pane windows and other costly alterations that we can ill afford? Or do we just move away and lose our Equity?**

**Our Senior Community is well known to this council including a Council member who was a former resident. We are expected to obey your Civil & Municipal codes and respect our neighbors. I am asking why the adjacent Property Owners behind our homes are not expected to do the same??**

**Code Enforcement asked that we petition our neighbors in the matter & we did that. Mediation was tried in 2005 and it did not work. Police Officers have been called many late hours, our complaints were never forwarded for resolution nor citations issued. Our Police Dept. should not be the proper Agency to solve this problem. This matter belongs to the City Council and the Planning Commission.**

**As the governing body of this City, If you do not intend to enforce the Municipal Codes and the CUP on the property behind our homes, just let us know so that we can proceed with decisions to protect our Health, our Homes and Investments in Sierra Bonita Village.**

**thank you.**

**PATRICIA ZUCCARO  
707 Turtle Creek Rd  
Paso Robles, Ca 93446**

ZUCCARO Pg 2. 11/10/07  
P.C.



Public  
Comment

October 30, 2007

City of El Paso de Robles  
Doug Monn, C.B.O.  
Public Works Director  
1000 Spring St  
Paso Robles, Ca. 93446

Dear Mr. Monn,


Thank you for the courtesy and time extended to me during my visit in August 2007. This is a follow up to my email to you on September 12, 2007 regarding excessive speed on Walnut Drive. As you may recall during our meeting I felt that the speed of traffic was creating an unsafe condition.

Since that time things have not changed much at all. Recently my wife while trying to back into our driveway was nearly hit by another vehicle which sped around her vehicle. My wife while attempting to get the License number of the car was approached and verbally assaulted by the driver. This was reported to the P.D.

Slowing down traffic in this area I believe is essential in creating a safe environment for people living in our neighborhood. Therefore I am delivering to you a list of residents who agree that there is an unsafe condition especially in the area of the (Horseshoe) or blind curve just south of Union Road. I think the use of Walnut Drive as an arterial for traffic between Union Road and Creston is not good however because of habits being developed by the driving public since the beautiful upgrade of Union Road and the closure of that road during the upgrade it is what it is.

I realize there is no perfect solution to this problem however I do have some ideas I believe can help in the near term. As you have done on Rolling Hills Road recently I think "Bot Dots" with signage indicating "SLOW DOWN" may help. In addition actual enforcement rather than a radio announcement could be more effective.

In closing as you indicated during our conversation "I" was the first complaint you had received regarding traffic problems in this area in your long tenure with the City. I hope that the signatures attached will provide you with additional confirmation that a problem does exist and needs to be addressed.

Thank you  
  
Lindia C. Rivera

Michael S. Rivera & Lindia C. Rivera  
928 Walnut Drive  
Paso Robles, Ca 93446

Attachments

CC:  
City Manager: James L App  
Mayor: Frank Meham  
Councilmember's:  
Gary Nemeth  
John Hamon  
Duane Picanco  
Fred Strong

Page 2 Signature Page Letter to Doug Monn City of Paso Robles

Name Jim HARBEII Jim

Address 926 WALNUT DR.

Name Lori Chamberlain  
Name Lori Chamberlain

Address 953 Walnut DR.

Name Telesz Engelbach / Engelbach

Address 934 Walnut Dr.

Name Laura Romero

Address 933 Walnut DR.

Name Tom  
and  
LEE Graham

Address 944 Walnut DR.

Name Leslee Smiley

Address 947 Walnut Dr