



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

CITY COUNCIL MINUTES

Tuesday, November 20, 2007 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 Gary Nemeth, Duane Picanco, Fred Strong, and Frank Mecham
Councilmember John Hamon Absent

PUBLIC COMMENTS

- Gensis Bell and Jackie McReynolds of the Youth Commission attending the meeting on behalf of the Government Class
- Sue Daniel, CEO of the Paso Robles Boys and Girls Club, giving an update on activities at the club and a plea for volunteers from the community
- Norma Moye, Downtown Main Street Association promoting Light the Downtown, November 23rd at 5:30 and the Christmas Light Parade, December 1st
- Jerry Boxer, Library Board of Trustees thanks the Council for continued support
- John Borst, submits questions on Nacimiento Water Project
- David Pesce, support of the Golden Hills shopping mall as an economic stimulus
- Councilmember Nemeth, presents the Council with the plaque presented to City from the Main Street Association

PRESENTATIONS– None

PUBLIC HEARINGS

1. Urban Water Management Plan

D. Monn, Director of Public Works

A draft update of the Urban Water Management Plan was provided to the public for review and comment. Since the draft was released, City staff has provided extensive proposed revisions. It is recommended that the City Council open the Noticed Public Hearing on the Draft 2005 Urban Water Management Plan and then continue this item.

Public Works Director Doug Monn requests that this item be continued. Utilities Manager Katie DiSimone explains the Urban Water Management Plan will be ready for review in January of 2008.

Mayor Mecham opened the public hearing. Speaking from the public was Thomas Rusch.

Councilmember Gary Nemeth, seconded by Councilmember Picanco, moved to continue the Urban Water Management Plan and bring back in January 2008.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT: Hamon

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 November 6, 2007 and November 6, 2007 Special Meeting

D. Fansler, City Clerk

3. Approve Warrant Register: Nos. 73589—73709 (11/02/07) and 73710—73873 (11/09/07)

J. Throop, Administrative Services Director

4. Receive and file Advisory Body Committee minutes as follows:

Library Board of Trustees meeting of October 12, 2007

Senior Citizen Advisory Committee meeting of October 8, 2007

Youth Commission meeting of October 3, 2007

Councilmember Gary Nemeth, seconded by Councilmember Picanco, moved to continue the Urban Water Management Plan and bring back in January 2008.

Consent Calendar Items Nos. 2-4 were approved on a single motion by Councilmember Strong, seconded by Councilmember Picanco, with Mayor Mecham abstaining on Warrant Register Items No. 0736944 and 073853.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT: Hamon

DISCUSSION

5. General Plan Amendment: Application Processing Request for River Oaks II, and College Station (Estrella Associates).

R. Whisenand, Community Development Director

For the City Council to consider a request to process an application for amendment of the Land Use Element of the General Plan to facilitate development of an extension of the River Oaks master planned community.

- a. River Oaks II: 1,055 residential units of a variety of densities and types and recreation facilities, including a small resort hotel, on the 249 acre Kiessig Annexation (west side of Buena Vista Road, north of River Oaks I.
- b. College Station: 295 single family attached and multi-family residential units in a variety of densities and types on 21 acres to be annexed. The site is located on the east side of Buena Vista Road, between Cuesta College and Circle B Road. The site backs up to lots that front onto Rafter Way.

OPTIONS:

- a. Defer consideration/processing of this request until the City has completed the Alternative Routes Feasibility Study, traffic model update, and Circulation Element Update; or
- b. Defer consideration/processing of this request until the City completes its next Housing Element Update in 2009 to determine if additional residential development is needed; or
- c. Defer consideration/processing of this request until the applicant submits a revised proposal to develop a project with a reduced scope, e.g., only the southern 130 acres and the agriculture-related/allowed components of the northern 119 acres of River Oaks II, and the College Station components; or
- d. Authorize the applicant to proceed with processing of the proposal General Plan Amendment, subject to the execution of a development agreement¹ prior to adoption of a GPA; or
- e. Reject the proposed General Plan Amendment; or
- f. Amend, modify or reject the above options.

Community Development Director Ron Whisenand requests that this item be continued for further study. City Attorney Jon Seitz asks the applicant Dick Willhoit if he accepts a continuance with no specific date. Dick Willhoit agrees to the continuance.

Mayor Mecham opened the public hearing. Speaking from the public was Jerry Boxer, Tim Bryan, Pat Swindell, Lawrence Lynch, Todd Lomelino, Becky Hewitt-Ritchie, Klaus Schumann, Joan Burgess, Greg Kudlick, Judith Bernstien and David Mullin. 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 continuance of General Plan Application Processing Request for River Oaks II and Cuesta College Station, date to be set by Community Development Director Ron Whisenand.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT: Hamon

6. Rolling Hills Road -Remove Traffic Calming Devices

D. Monn, Public Works Director

For the City Council to consider the removal of Bots dots on Rolling Hills Road at the request of residents of the area.

OPTIONS:

- a. Authorize removal of Bots dots from Rolling Hills Road.:
- b. Amend, modify or reject the above option.

Mayor Mecham opened the public hearing. Speaking from the public was Bob Spielman and Delores Gillman reading a letter on behalf of Bonny Hogue. 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 authorize the removal of the Bots dots from Rolling Hills Road.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT: Hamon

7. Request for Temporary Closure of 12th Street and Alley

R. Whisenand, Community Development Director

For the City Council to consider a request to allow the temporary closure of a portion of 12th Street from Park to Pine Streets, and the alley north of 12th Street. The contractor and owner of the building located at 811 12th Street has requested an encroachment permit for construction activities beginning November 26, 2007.

OPTIONS:

- a. That the City Council authorize the City Engineer to issue an encroachment permit, with conditions, to Norman Norton Construction for the partial closure of 12th Street, from Pine Street to Park Street for four days beginning November 26, 2007; and the closure of the alley, north of 12th Street from mid-block west to Park Street for eight days beginning November 26, 2007; or
- b. That the City Council deny the request from Norman Norton Construction for closure of 12th Street and an alley during the week of November 26, 2007; or
- c. Amend, modify or reject the above option.

Mayor Mecham opened the public hearing. Speaking from the public was Contractor Paul Norton and Norma Moye. 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 authorize the City Engineer to issue an encroachment permit, with conditions, to Norman Norton Construction for the partial closure of 12th Street, from Pine Street to Park Street for four days beginning November 26, 2007; and the closure of the alley, north of 12th Street from mid-block west to Park Street for eight days beginning November 26, 2007

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT: Hamon

CITY MANAGER - None

COUNCIL COMMENTS (Including oral reports on conferences attended) - None

PUBLIC COMMENT ON CLOSED SESSION – None

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 8:47 PM.

The City Council thereupon adjourned to Closed Session in the 2nd floor Large Conference Room.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

a. Conference with Legal Counsel – Existing Litigation

Government Code Section 54956.9

Significant exposure to litigation.

Number of cases: One

No Reportable Action

The City Council returned to Regular Session at 9:00 p.m.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Jon Seitz announced that there was no reportable action.

By unanimous voice vote, Council moved to adjourn from regular session at 9:00 PM.

ADJOURNMENT:

- ADJOURNED REGULAR JOINT MEETING OF CITY COUNCIL & PLANNING COMMISSION CHANDLER RANCH AREA SPECIFIC PLAN JOINT STUDY SESSION, ON TUESDAY, NOVEMBER 27, 2007, AT 7:30 PM, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- THE CHRISTMAS LIGHT PARADE, ON SATURDAY, DECEMBER 1, 2007 AT THE CITY PARK
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, DECEMBER 4, 2007, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Submitted:

Cathy David, 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.**

November 20, 2007 City Council Meeting

To: Paso Robles City Council

From: John Borst
209 Navajo Ave.
Paso Robles, CA 93446

The City's Oct. 2007 mailer to water customers announcing water rate increases raises several questions I am seeking answers for tonight:

1. What project or facility is the current \$12 Nacimiento Water fee (as stated on the mailer) funding?
2. Did City Ordinance 882 specifically authorize the collection of this \$12 Nacimiento water fee for the facility?
3. Do I understand correctly that the sale of the Nacimiento Water Project bonds by the SLO County Financing Authority provided no funds or financing for the construction of a new water treatment plant in Paso Robles?
4. Will the City's collected water connection fees go to payment of the Nacimiento Water Project debt service?
5. In an Oct. 2, 2007 Staff report from Jim App to the City Council, the number 3,319,900 units of water is stated. What is the year and documental source for this number?

If you cannot answer these questions for me tonight, a prompt written reply within one week's time would be appreciated.

Thank you.

John Borst

**HAROLD AND EDITHA SPENCER
426 PEACHTREE COURT
PASO ROBLES, CA 93446
(605) 239-4404**

**RECEIVED
CITY CLERK'S OFFICE
NOV 20 2007
CITY OF PASO ROBLES**

November 19, 2007

To Mayor Frank Mecham and all members of the City Council:

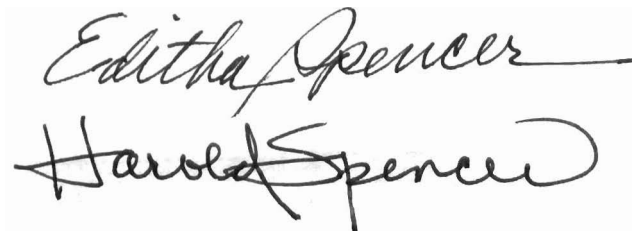
Stop the River Oaks II project now! This ill-advised proposal is bad for our land, our water supply, and our people. It is too much, too soon, too all-at-once!

Keep the General Plan intact! Keep the purple belt intact and increasing! Don't barter with Nacimiento water! As for traffic...say no more!

Don't authorize the processing of the application. To do so would be a dangerous step in the wrong direction, inching toward future problems.

Keep the property zoned agricultural... farmland, as promised!

Sincerely,



Editha Spencer
Harold Spencer

Edith S. Harold Spencer

TO MAYOR FRANK MECHAM
AND ALL MEMBERS OF THE CITY COUNCIL

*We cannot be at the Nov. 20 meeting but
would like to have this letter read and
entered as part of the record. Thank you.*

Main Identity

From: "bonny hogue" <bonnyhogue@yahoo.com>
To: "Bob Spielman" <mavspiel@charter.net>
Cc: <bonnyhogue@yahoo.com>
Sent: Monday, November 19, 2007 7:25 PM
Subject: Re: City Council Meeting RHR Botts/Dotts Removal Decision

Bob, Thank you again for all your hard work. If you would be so kind as to have someone read this for me I would greatly appreciate it.

This letter is addressed to the members of the Paso Robles City Council.

My name is Bonny Hogue I live at 817 Hacienda Circle. I would be here in person, however, unfortunately I had another appointment scheduled.

My concerns are and have been as I addressed the members at the last meeting regarding the bots on Rolling Hills Road. Our initial reason for petitioning you was in respect to the speeding problem that consists on Rolling Hills Road. It was apparent that the members of the Paso Robles City Council had decided the Bots would be a solution to the problem. I am here to differ with you.

Respectfully, we have small children as little as 6 years old walking home from school on Rolling Hills Road. The cars travel at speeds in excess of 60 mph. I have even witnessed cars passing in the center to avoid the slowing cars. Few cars slow for the bots in fact most speed up. This is not safe.

Our home is located right next to the bots. As a result of the choices of the City Council my family is unable to sleep thru the night, I have insomnia so any sleep used to be a treasure, not so much any more. Additionally, our guests are unable to sleep. In so much as we have invested a small fortune in our backyard now are not able to enjoy it as the noise is completely unbearable. We should not be expected to "live with this". Let me paint you a picture, the noise is the same as Summer War Games at Camp Roberts. Except for the fact that we get to hear it 24\7 a constant *boom...boom. boom. boom.* It's never ending!

In closing, I want to bring to the attention of the City Council that 24th Street which is heavily traveled and *not* a residential zone, has a speed limit of **25 mph**. We live in a **residential zone** and our speed limit is **35 mph**. Rolling Hills is *NOW* a residential area. Not a short cut. As I said earlier, the bots are not the solution. Traffic control, speed limit reduction, raised speed bumps similar to those on Nickerson or on El Camino Real in Atascadero by the Carlton may be the solution. I believe there is a solution, we have entrusted you our elected City Council to resolve it. Again, I would invite you all to come over. Live it, experience it, feel what we feel. Then you will know this is not the solution.

Respectfully,
 Bonny Hogue