

All persons desiring to speak on agenda items are asked to fill out a *Speaker Information Card* and place it at the Staff Table prior to the start of discussion of the agenda item. Each individual speaker will be limited to a presentation total of three (3) minutes per person, per item.

CITY COUNCIL AGENDA

Tuesday, November 19, 2002 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 George Finigan, Jim Heggarty, Gary Nemeth, Duane Picanco and Mayor Frank Mecham

PUBLIC COMMENTS

This is the time the public may address the Council on items other than those scheduled on the agenda. **PLEASE SPEAK DIRECTLY INTO THE MICROPHONE AND BEGIN BY STATING YOUR NAME AND ADDRESS. EACH PERSON AND SUBJECT IS LIMITED TO A 3-MINUTE DISCUSSION.** Any person or subject requiring more than three minutes may be scheduled for a future Council meeting or referred to committee or staff. Those persons wishing to speak on any item scheduled on the agenda will be given an opportunity to do so at the time that item is being considered.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

If applicable, staff to advise Council of any item on agenda that is to be deferred or tabled.

PRESENTATIONS - None

NOTICED HEARINGS

1. [Continue Hearing – Code Amendment 02-007 \(Signs\)](#)

R. Lata, Community Development Director

Consider continuing consideration of this item regarding an update of the City's sign ordinance, (In light of legal issues, complexity and other pending projects, additional time is needed to refine the text of the proposed Ordinance.)

OPTIONS:

- a. Accept public testimony and continue the open public hearing to the Council's regular meeting on January 21, 2003.
- b. Amend, modify, or reject the above option.

2. [13th Street Bridge](#)

J. Deakin, Public Works Director

Consider adopting a Mitigated Negative Declaration for the 13th Street Bridge Widening and Roadway Improvement Project. (The City Council must review environmental impacts associated with a project before implementation. The proposed project could have a significant effect on the environment, although the effects will be mitigated. A Mitigated Negative Declaration has been prepared and circulated for public review.)

OPTIONS:

- a. Adopt Resolution No. 02-xx approving a Mitigated Negative Declaration for the 13th Street Bridge Widening and Roadway Improvements.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CONSENT CALENDAR

ITEMS ON THE CONSENT CALENDAR ARE CONSIDERED ROUTINE, NOT REQUIRING SEPARATE DISCUSSION. However, if discussion is wanted or if a member of the public wishes to comment on an item, the item may be removed from the Consent Calendar and considered separately. Councilmembers may ask questions of clarification without removing an item from the Calendar. INDIVIDUAL ITEMS 3-14 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

3. [Receive and file City Council minutes for September 17, October 1, October 9, October 15, October 29, and November 5, 2002](#)

4. [Approve Warrant Register: Warrant Nos. 36510-36635 \(11/01/02\) to 36636-36874 \(11/8/02\)](#)
M. Compton, Administrative Services Director

5. [Receive and file Advisory Body Committee minutes as follows:](#)
Citizens Airport Advisory Committee meetings of September 26 and October 24, 2002
6. [Adopt Ordinance No. XXX N.S. amending Chapter 17.04 of the Municipal Code thereby adopting the 1997 Edition of the Uniform Building Code, 1999 National Electrical Code, 2000 Uniform Plumbing Code, 2000 Uniform Mechanical Code and specified support codes; and adopt Ordinance No. XXX N.S. amending Title 17 of the Municipal Code – Building and Construction.](#) (The State of California amended and adopted the 1997 Edition of the Uniform Building Code and 2000 Edition of the Uniform Plumbing and Mechanical Codes, effective November of 2002. Should the Codes not be adopted, they will become effective by State mandate without the local amendments that meet the specific needs of the City. Adopting of Building Standards Valuation tables published by the International Conference of Building Officials would result in an adjustment of building permit fees of approximately nine percent. The adoption of the fee schedule is not included in the State mandate, but is needed to cover City processing costs.) FIRST READINGS WERE HELD ON NOVEMBER 5, 2002.
R. Lata, Community Development Director
7. [Adopt Resolution No. 02-xx renewing the Narcotics Task Force Interagency Agreement for the term of July 2002 to June 2005, and authorize the Chief of Police to execute the Agreement.](#) (The revised agreement was prepared with input from all participating agencies and will ensure the continuation of an organized undercover narcotics enforcement effort within the City of Paso Robles.)
D. Cassidy, Chief of Police
8. [Adopt Resolution No. 02-xx approving the annual claim for Transportation Development Act \(TDA\) funding for fiscal year 2003.](#) (The City must file an annual claim with the San Luis Obispo Council of Governments in order to receive its allocation of TDA funds. TDA funds may be used for either transit services or streets and roads [if there is no “unmet transit need”]. Funds represent ¼ of 1% of the sale tax rate and are generally distributed back to local agencies based upon County situs and then agency population. Other than transit fares, TDA is the only source of funding for the City’s transit operations.)
M. Compton, Administrative Services Director
9. [Adopt Resolution No. 02-xx approving installation of two limited time parking signs on trash enclosure fencing located on Railroad Street between 10th and 12th Streets.](#) (The Streets and Utilities Committee recommends installation of the limited time parking signs, “no parking” 7:00 a.m. to 3:00 p.m. Monday through Saturday, to improve trash collection access and maintaining parking for retail businesses.
J. Deakin, Public Works Director
10. [Adopt Resolution No. 02-xx directing staff to submit a Bicycle Transportation Grant for FY 2003-2004.](#) (The Bikeway Master Plan adopted by Council in February 2002 includes a list of “first priority” projects recommended for implementation. \$142,550 is included with this category. The BTA Grant application is due on December 1, 2002.)
J. Deakin, Public Works Director

11. [Adopt Resolution No. 02-xx awarding a construction contract to Maggiora Bros. Drilling, Inc. of Watsonville, CA, in the amount of \\$243,900 to drill new Well No. 8 at the Municipal Airport; and transferring an additional \\$45,000 to Budget Account No. 220.910.5452.321 from Budget Account No. 220.910.5452.322.](#) (Council adopted a Negative Declaration for this project pursuant to requirements of the California Environmental Quality Act. Project proposes drilling two test wells at the Airport for the City's water system; the test well with the higher production rate will be developed as an operating well. The original budget for this project of \$200,000 was established in 1999. Construction costs have increased in the last three years, which accounts for the 22% increase over the low bid received.)
J. Deakin, Public Works Director

12. [Adopt Resolution No. 02-xx awarding a construction contract for the Hilltop Sewer Re-alignment to low bidder Raminha Construction of Paso Robles in the amount of \\$45,853.](#) (The existing 800-foot sewer line runs generally parallel to Olive Street behind five homes in the 900 block of Olive Street. It is proposed to re-align the sewer down Hilltop Road. When the work is completed, the City could then abandon whatever interest it could be considered to have in the old sewer line. Eighteen bids were received at the Bid Opening on November 7, 2002, ranging from a low bid of \$45,853 to a high bid of \$82,790.)
J. Deakin, Public Works Director

13. [Adopt Resolution No. 02-xx authorizing the Mayor to execute an agreement with the Integrated Waste Management Authority \(IWMA\) to relocate the Household Hazardous Waste \(HHW\) Collection Facility to the City landfill.](#) (In 1999 Council approved pursuing grant funding from the IWMA to establish a permanent HHW Collection Facility. A \$100,000 grant was later awarded to establish the facility. The HHW Collection Facility is a key solid waste program for City residents. Because the HHW Program is a waste disposal program, locating the HHW Collection Facility at the City's Landfill may be more consistent with land use and operation practicalities. All costs associated with moving the facility and operating at the new site will be borne by the IWMA. The City will realize a savings of approximately \$3,000 to close the existing site.)
J. Deakin, Public Works Director

14. [Adopt Resolution No. 02-xx approving expenditures of up to \\$18,000 of Senior Endowment Funds for Senior Center enhancements.](#) (The Senior Citizens Advisory Committee created a Senior Endowment Fund to be used to operate, maintain, or enhance senior programs and/or facilities. At their September meeting, the Committee voted to allocate up to \$25,000 from the Endowment Fund to purchase items not included in Measure D funding or the approved City budget. The current total is \$16,510 plus \$1,490 for estimated taxes and shipping, for a total of approximately \$18,000.)
B. Partridge, Library & Recreation Services Director

ROLL CALL VOTE

PUBLIC DISCUSSION

15. [Request to Remove Two Oak Trees – 2015 Oak Street \(Branch\)](#)
R. Lata, Community Development Director

Consider a request to remove two Live Oak trees at 2015 Oak Street. (Applicants Matt and Michelle Branch are seeking approval to remove the trees. The trees have a diameter of 34 and 48 inches, respectively. There is another 48-inch Live Oak located on-site that will be preserved. If granted, the property-owners would be required to plant fourteen 1½ inch caliper Live Oak trees or any other combination totaling 20½ inches.)

OPTIONS:

- a. Adopt Resolution No. 02-xx approving the two (2) oak tree removal requests, based on the facts, findings, and conclusions of the Arborist Report and subject to the 25% replacement wherein fourteen 1½ inch caliper Live Oak trees or any other combination totaling 20½ inches would have to be planted on-site and/or within a public park area.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

16. [Request to Remove an Oak Tree – 1792 Bella Vista Court \(Bella Vista Estates, LLC\)](#)

R. Lata, Community Development Director

Consider a request to remove a Blue Oak tree at 1792 Bella Vista Court. (Applicant Ray Peloso, on behalf of Bella Vista Estates, is seeking approval to remove one 24-inch diameter Blue Oak. The Arborist is recommending removal of the tree as soon as possible, stating that the tree has declined to a point that restoration is not an alternative.

OPTIONS:

- a. Adopt Resolution No. 02-xx approving the oak tree removal request, based on the facts, findings, and conclusions of the Arborist Report and subject to the 25% replacement requirement, wherein four 1½ inch caliper trees or any other combination totaling 6 inches would have to be planted within Open Space Lot 105 of Tract 2223-2.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

17. [Award Bid for Addition to Airport Terminal Restaurant – DPW Project No. 99-04](#)

D. Monn, Building Official

Consider awarding a construction contract to Morrissey Construction Company in the amount of \$350,400.00 to expand the Airport Terminal Restaurant and re-allocate \$175,000.00 of unused Measure D Funds from the Senior Center/Veteran's Project.

OPTIONS:

- a. Adopt Resolution No. 02-xx awarding a contract to construct a restaurant addition to the Airport Terminal Building to low bidder Morrissey Construction Company of Oceanside, California, in the amount of \$350,400; and re-allocate \$175,000 of unused Measure D Funds from the Senior Center/Veteran's Project to the Airport Terminal Restaurant Addition.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

18. [Council Appointments – Airport Advisory Committee](#)

J. Deakin, Public Works Director

Ratify appointments to the Citizens Airport Advisory Committee. (On October 9th, Council interviewed applicants and made appointments to fill 7 vacancies on the Committee: Lee Agon, J. Mac Gleim, Stanley Levanduski, James McCall, Richard Morton, Ronald Rose and Suzanne Smith. Vacancies were for 5 regular 2-year terms, expiring October 31, 2004 and 2 “unexpired” alternate memberships, expiring on October 31, 2003.)

OPTIONS:

- a. Appoint five regular 2-year members to terms expiring October 31, 2004, and 2 alternate 1-year members to terms expiring on October 31, 2003.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

19. [Airport Master Plan and Airport Land Use Plan](#)

J. Deakin, Public Works Director

Consider establishing a date for an adjourned meeting/workshop to review the Airport Master Plan and Airport Land Use Plan. (The Airport Land Use Plan is dependent on the Master Plan. The Land Use Plan looks at Master Plan activities, determines land use impacts associated with planned airport growth, and maps the impacts geographically. The Land Use Plan becomes the decision-making guide for land uses near the airport and is the key reference document for the County Airport Land Use Commission.)

OPTIONS:

- a. Set a date for an adjourned meeting of Council to conduct a workshop on the Airport Master Plan and Airport Land Use Plan, along with the Planning Commission and Airport Advisory Committee.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER

20. [Schedule Date for Applicant Interviews & Appointments – Project Area Committee \(PAC\)](#)

J. App, City Manager

Select date for conducting interviews and making appointments for vacancies on the Project Area Committee

3 vacancies - 3-year terms ending December 31, 2005
3 applicants

Lydia Francis
Nick Gilman (incumbent)
Debra Smith (incumbent)

VOICE VOTE

21. [Schedule Date for Applicant Interviews & Appointments - Planning Commission](#)

J. App, City Manager

Select date for conducting interviews and making appointments for vacancies on the Planning Commission

2 vacancies - 3-year terms ending December 31, 2005
5 applicants

Thomas Flynn
Lydia Francis
John Hamon

Ronald Johnson (incumbent)
Ralph McCarthy (incumbent)

VOICE VOTE

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

22. [Air Show Promotion Training](#)

J. Heggarty, Councilmember

Presentation of information regarding upcoming International Council of Air Shows (ICAS) convention for agencies interested in promotion of air shows.

OPTIONS:

- a. Authorize Councilmember Heggarty to attend the ICAS 2002 Convention, December 2-5, 2002.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CLOSED SESSION

a. Conference with Legal Counsel – Anticipated Litigation

Subdivision (b) of Government Code Section 54956.9

Significant exposure to litigation (facts and circumstances not known to adverse party)

Number of cases: Two

b. Property Acquisition*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 1401 N. River Road, Paso Robles (APN 025-501-014)

Owner/Negotiator: B. W. The Plumbing Company (Bruce White)

Provide City Negotiator with authority regarding purchase, price, and terms of payment

*RE 13TH STREET BRIDGE WIDENING PROJECT

ADJOURNMENT: to THE REGULAR CITY COUNCIL MEETING 7:30 PM ON TUESDAY, DECEMBER 3, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR COUNCIL MEETING IS NOVEMBER 22, 2002

CITY COUNCIL MINUTES
Tuesday, September 17, 2002 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 Present: Councilmembers George Finigan, Gary Nemeth, Duane Picanco and Mayor Frank Mecham. Absent: Councilmember Jim Heggarty.

PUBLIC COMMENTS

- Kathy Barnett suggested placing a recycling box for papers in the lobby of City Hall.

AGENDA ITEMS TO BE DEFERRED (IF ANY) - None

PRESENTATIONS

1. Local, Regional and Statewide Housing Needs

R. Lata, Community Development Director

Consider and discuss local housing needs in the context of regional and statewide housing demands. SLO Council of Governments Executive Director will present the Countywide Draft Regional Housing Needs Plan.

Council heard a presentation from Steve Devencenzi, Deputy Direct of San Luis Obispo Council of Governments (SLOCOG), on local, regional and statewide State-mandated housing requirements.

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

After review and discussion of the County's Draft Regional Housing Needs Plan (RHNP), it was the consensus of Council to (1) direct staff to include in the City's response that Council reluctantly supports and endorses the overall regional housing plan regarding the total number of units, provided that Council's other recommendations are considered: (a) that compliant jurisdictions receive favorable consideration in their funding allocations to provide funding to support the infrastructure needs of the additional housing, and (b) "household" versus "population" be used as an allocation factor; and 2) return this item for consideration at Council's October 1, 2002, meeting, at which time the draft response letter to SLOCOG on the Draft RHNP will be reviewed.

At 8:40 the City Council took a 10-minute break, reconvening at 8:50.

NOTICED HEARINGS

2. Code Amendment 02-009 (Church Uses in the Planned Industrial Zone)

R. Lata, Community Development Director

Consider an amendment of the Zoning Ordinance to allow churches to locate within the Planned Industrial (PM) zoning district with a Conditional Use Permit. (Calvary Chapel of Paso Robles [proposed to be located at 1615 Commerce Way] filed the request for code amendment. The Planning Commission recommends adoption of the Environmental Negative Declaration and approval of the Code Amendment.)

Mayor Mecham opened the public hearing. Speaking from the public were Dale Gustin and Steve Stump (Pastor Calvary Chapel/applicant). There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth, seconded by Councilmember Picanco, moved to adopt Resolution No. 02-197 granting a Negative Declaration status to Code Amendment CA 02-009 (church use in PM zone). Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

Councilmember Nemeth, seconded by Councilmember Picanco, moved to introduce Ordinance No. XXX N.S. amending Table 21.16.200 to allow churches as a conditionally permitted use in the PM zone; and set October 1, 2002, as the date for adoption of said Ordinance. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

3. Code Amendment 02-012: Prohibit Recreational Vehicles as Residences

R. Lata, Community Development Director

Consider a City-initiated amendment to the Zoning Code to prohibit the use of recreational vehicles, trailers and campers as residences in residential zoning districts. (Ordinance No. 690 N.S. was adopted in 1995 amending the Zoning Code to prohibit the use of travel trailers, recreational vehicles, campers, and similar vehicles as residences in residential zoning districts. In 2000, Ordinance No. 791 N.S. was adopted replacing Ordinance No. 690 N.S. The new ordinance identified unlawful areas to use recreational vehicles, camp and sleep, but inadvertently deleted the prohibitions on use of travel trailers, recreational vehicles, campers and similar vehicles as residences in residential zoning districts. The restoration of the text adopted by Ordinance No. 690 N.S. would eliminate confusion.)

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

Councilmember Nemeth, seconded by Councilmember Finigan, moved to introduce Ordinance No. XXX N.S. amending the zoning code to re-establish regulations prohibiting use of travel trailers, recreational vehicles, and campers as residences in residential zoning districts, and set October 1, 2002, as the date for adoption of said Ordinance. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

4. Code Amendment 02-011 – Employee Housing

R. Lata, Community Development Director

Consider a City-initiated amendment to the Zoning Code to establish employee housing as a conditionally permitted use in Commercial, Industrial, Agricultural, and Parks and Open Space zoning districts. (The 1991 Land Use Element calls for the City to facilitate the establishment of limited amounts of residential use in any of the commercial land use categories in order to achieve several purposes, including provision of affordable housing to employees and their families. The 1994 Housing Element of the General Plan calls for maintaining a variety of types of housing and for encouraging development of limited amounts of residential use on commercial and industrial properties. The Planning commission is scheduled to consider the draft code amendment on September 10 and will be presenting an oral report to Council at the September 17 meeting.)

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

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Councilmember Picanco, seconded by Councilmember Finigan, moved to introduce Ordinance No. XXX N.S. amending the Zoning Code to permit employee housing in Commercial, Industrial, Agricultural, and Parks and Open Space zoning districts as a conditional use, with a change in the wording of Exhibit A Item No. 5 to read *“Employee housing (more than one rental housing unit per lot or parcel in which occupancy will be limited to employees of a particular commercial or industrial development) during the period of employment”*; and set October 1, 2002, as the date for adoption of said Ordinance; and direct staff to suggest various approaches for the Planning Commission to consider regarding development standards. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

Councilmember Picanco, seconded by Councilmember Finigan, moved to adopt Resolution No. 02-198 approving a Negative Declaration for Code Amendment 02-011. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

5. 2002-2003 Local Law Enforcement Block Grant Award

D. Cassidy, Chief of Police

For the City Council to consider acceptance of a \$15,299 award granted by the Bureau of Justice Assistance Programs for the purchase of (2) ATVs.

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 Finigan, moved to adopt Resolution No. 02-199 authorizing the Police Department to meet the grant conditions and accept the award, allocating the total grant award of \$15,299 and the City’s matching contribution of \$1,700 to purchase the identified equipment; and directed staff to change wording in the resolution to change the budget appropriation from \$15,299 to \$15,300, and add a new paragraph to read: *Be it further resolved that the equipment that is the subject of this resolution shall not be made a part of the City’s Equipment Replacement List without further Council action.* Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

6. Long-term Financing for Wastewater Collection and Treatment Plant Improvements

M. Compton, Administrative Services Director

Consider approval of various documents for the long-term financing of wastewater collection and treatment facility improvements. (Long-term interest rates are at historical lows. Issuing debt in this market will provide considerable savings over initial debt service cost estimates. Lower interest rates also provide sufficient savings to refinance the 1993 Sewer Revenue Refunding Bonds, a re-funding of the 1987 Sewer Revenue Bonds. The debt financing will be called "2002 Installment Sale Sewer Revenue Bonds." An installment sale financing is a blend of a straight revenue bond issue and a certificate of participation.)

Present to answer questions from Council were Bob Haight (City's bond counsel) and Craig Hill (financial advisor from Northcross, Hill and Ash).

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 to introduce for first reading Ordinance No. XXX N.S. authorizing the installment purchase of certain sewer improvements for the El Paso de Robles Public Financing Authority; authorizing and direct the execution of an acquisition agreement and an installment sale agreement; approving the sale of 2002 Installment Sale Revenue Bonds (Sewer Enterprise) by the Authority; and authorizing official actions; with the caveat that the standard provisions of publication, severability, inconsistency and effective date be included in the ordinance. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

Councilmember Nemeth, seconded by Councilmember Picanco, moved to Introduce for first reading Ordinance No. XXX N.S. amending Section 14.04.020 of the City of El Paso de Robles to adjust Sewer User Fees, with the caveat that the standard provisions of publication, severability, inconsistency and effective date be included in the ordinance. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

**ADJOURN TO JOINT MEETING OF PUBLIC FINANCING AUTHORITY,
REDEVELOPMENT AGENCY & CITY COUNCIL**

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

Boardmember Nemeth, seconded by Boardmember Finigan, moved to introduce for first reading Ordinance No. XXX N.S: authorizing the issuance of not to exceed \$13,000,000 principal amount of 2002 Installment Sale Revenue Bonds (Sewer Enterprise) relating to certain sewer improvements and the refunding of the 1993 El Paso de Robles Public Financing Authority Sewer Revenue Bonds, Series A; authorizing and directing the execution of a related indenture of trust, installment sale agreement and escrow deposit and trust agreement; authorizing the sale of 2002 Installment Sale Revenue Bonds (Sewer Enterprise); approving an official statement, an official notice of sale and an official bid form; and authorizing official actions; with the caveat that the standard provisions of publication, severability, inconsistency and effective date be included in the ordinance. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

ADJOURN TO CITY COUNCIL MEETING

CONSENT CALENDAR

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

Consent Calendar Items No. 7 to 9 and 11 to 18.1 were unanimously approved on a single motion by Councilmember Nemeth, seconded by Councilmember Finigan, with the exception of Item No. 10 being pulled for discussion, and with Councilmember Picanco and Mayor Mecham abstaining on Item No. 7.

7. Approve City Council minutes of June 18, August 6, August 20, August 22, August 23, September 3 and September 5, 2002.
D. Fansler, City Clerk
8. Approve Warrant Register - Warrant Nos. 35277 (8/30/02) – 35512 (9/602)
M. Compton, Administrative Services Director
9. Receive and file Advisory Body Committee minutes as follows:
Youth Commission meeting of June 5, 2002
Senior Citizen Advisory Committee meeting of August 12, 2002
11. Adopt Resolution No. 02-190 approving an amendment to the Compensation Plan for Part Time Workers, effective April 1, 2002, to March 31, 2006. (The City's part-time employees are an "un-represented" segment of the City's workforce. The pay structure for part-time employees is intended to provide appropriate compensation for the part-time work force in relation to the rest of the organization, as well as to adequately compete with our labor market. Costs of the wage adjustments are within established budget parameters.)
M. Williamson, Assistant to the City Manager

12. Adopt Resolution No. 02-201 approving a Lease-Purchase Agreement for Two Fire Engines with LaSalle National Leasing Association and authorizing the reimbursement of costs advanced in accordance with IRS regulations. (The current budget contains appropriations for the purchase of two new fire engines and the debt service payments for the lease-purchase financing. Requests for quotes were distributed to 16 firms. LaSalle quoted the lowest interest cost at 3.23% with no additional fees or charges and a \$1 buy-out at expiration date.)
M. Compton, Administrative Services Manager
13. Extend duration of ad hoc committee to study funding for art in public places to January 21, 2003.
B. Partridge, Library & Recreation Services Director
14. Extend duration of ad hoc committee to review indemnification clauses in City Contracts to November 19, 2002.
J. Seitz, Deputy City Attorney
15. Extend duration of ad hoc committee review the draft of the Airport Master Plan to January 31, 2003.
J. Deakin, Public Works Director
16. Extend duration of ad hoc committee to review energy conservation proposals to January 31, 2003.
J. Deakin, Public Works Director
17. Extend duration of ad hoc committee to review issues regarding Airport leases and lease amendments to January 31, 2003.
J. Deakin, Public Works Director
18. Extend duration of ad hoc committee to review proposals and conduct interviews regarding an Airport Terminal restaurant to December 17, 2002.
J. Deakin, Public Works Director
- 18.1 Adopt Resolution No. 02-192 accepting the Supplemental Law Enforcement Service Funds (SLESF) in fiscal year 2002/03. The funds will be used for technology equipment and software upgrades. Budget appropriations will be sought separately from the Council when funds are received.
D. Cassidy, Chief of Police

Item pulled for discussion:

10. Adopt Ordinance No. XXX N.S. amending the Zoning and Building Titles of the Municipal Code regarding allowing drive through uses within the C-1 Zoning District with a Conditional Use Permit (Code Amendment 02-010). DUE TO LACK OF A MAJORITY VOTE ON 9/3/02, 2ND READING OF THIS ORDINANCE HAS BEEN BROUGHT BACK IN THE 9/17/02 AGENDA. FIRST READING WAS AUGUST 20, 2002.
R. Lata, Community Development Director

Councilmember Picanco, seconded by Councilmember Nemeth, moved to continue Item No. 10 to the Council meeting of October 1, 2002. Motion passed by unanimous voice vote.

At 10:15 the City Council took a 10-minute break, reconvening at 10:25.

PUBLIC DISCUSSION

19. Southwest Reservoir Design Revision

J. Deakin, Public Works Director

Review and endorse a revised design of the Southwest Reservoir Project. (In October 2001, Boyle Engineering was engaged to design the Southwest Reservoir at the selected site. During the design, Boyle analyzed options for siting the reservoir to provide for the necessary water pressure and flow. Boyle Engineering is recommending the City consider lowering the reservoir elevation.)

Council heard a presentation from Christopher Alakel, Assistant Engineer from Boyle Engineering, on the proposed revised design of the Southwest Reservoir Project.

Council Mayor Mecham opened the public hearing. Speaking from the public were Mike Menath & Rollin Snow. 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 direct staff to continue to design the Southwest Reservoir, revising the reservoir design elevation to 870 feet above mean sea level, and to begin negotiations to acquire property needed to construct the reservoir, distribution piping, and associated facilities. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

20. Vehicle Replacement List

J. Deakin, Public Works Director

Review the vehicle bid list and direct staff on a course of action. (In March 2002, Council deferred the FY02 vehicle purchase and created an ad hoc committee to review the City's vehicle/equipment purchasing procedures. The review and refinement goals were to get the most useful equipment for City staff at the lowest possible price [as required by State law] and to make the process simple and fair. Since the FY02/03 Biennial Budget was adopted in June 2001, other needs have been identified that modify the vehicles authorized for purchase or add to the fleet beyond the budgeted New & Expanded Services. Staff is requesting Council to consider budget modifications.)

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 moved to appropriating \$12,000 from General Fund Reserves to Budget No. 100-710-5454-217 to upgrade SUVs for the Community Development Department (2 each, \$6,000 upgrade per vehicle. Motion failed for lack of a second.

Councilmember Nemeth, seconded by Councilmember Finigan, moved to appropriating \$12,000 from General Fund Reserves to Budget No. 100-710-5454-217 to upgrade SUVs for the Community Development Department (2 each, \$6,000 upgrade per vehicle. Motion failed by the following roll call vote:

AYES: Finigan and Nemeth
NOES: Picanco and Mecham
ABSTAIN: None
ABSENT: Heggarty

Councilmember Nemeth, seconded by Councilmember Finigan, moved to authorize reallocation of \$70,000 originally budgeted for an asphalt patch truck to be used for 3 additional pick-up trucks. (Resolution No. 02-200). Motion passed by the following roll call vote:

AYES: Finigan, Nemeth Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

Councilmember Nemeth, seconded by Councilmember Finigan, moved to direct staff to adopt the revised bidding process and solicit bids, and to incorporate everything on the replacement/new vehicle purchase list with the exception of the SUVs. (Resolution No. 02-200) Motion passed by the following roll call vote:

AYES: Finigan, Nemeth Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

21. Barney Schwartz Park Irrigation Reservoir

B. Partridge, Library and Recreation Services Director

Review Barney Schwartz Park (BSP) irrigation reservoir use policies. (BSP Lake was designed as an irrigation reservoir, and is currently posted for no swimming. Use is being randomly documented, no accidents have been reported, nor claims filed. As long as the lake is properly posted to prohibit swimming, the City's liability exposure is relatively minimal, though it does not prevent the filing of claims or lawsuits.)

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

Councilmember Picanco, seconded by Councilmember Finigan, moved to continue with current City code prohibiting swimming at Barney Schwartz Park Lake, posting *additional signage, and directing staff to investigate and evaluate the feasibility of roping off the perimeter outside of the wading area.* Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None

ABSENT: Heggarty

Deputy City Attorney Jon Seitz left the meeting at 11:15 p.m. and Deputy City Attorney Michael Seitz was seated at the dais.

22. Terrorism Coverage – Property Insurance

M. Compton, Administrative Services Director

Consider whether or not to purchase additional property insurance to specifically cover acts of terrorism. (Since September 11th, insurance companies have significantly broadened the property insurance exclusions to include “acts of terrorism.” The City’s current property insurance policy contains an exclusion for “acts of terrorism,” thus providing no insurance coverage should such an event occur in Paso Robles. Separate terrorism insurance is available, as well as several options for Council consideration.)

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 Finigan, moved to consider this item in the next budget cycle. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

23. Downtown Fountain Fence Replacement

J. Deakin, Public Works Director

Consider appropriating funds to replace the wrought iron fence surrounding the Downtown City Park fountain. (Due to moisture and other environmental factors, the fence surrounding the fountain has rusted and deteriorated. Repairing the fence requires replacing all of the visible metal parts; the cost is not budgeted in the FY03 program.)

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

It was the general consensus of Council to appoint an ad hoc committee consisting of Councilmembers Finigan and Picanco to investigate the opportunity for using volunteer labor to complete the work, and to report back to council by December 17, 2002.

CITY MANAGER

24. Advisory Body Appointments – Youth Commission

B. Partridge, Library & Recreation Services Director

Consider appointments to the Youth Commission. (On September 3, 2002, Council appointed members to the Youth Commission, but did not designate regular members vs. alternate members. Subsequent to that meeting, another vacancy on the Commission was created by the resignation of an alternate member.)

OPTIONS:

- a. Reappoint Michelle Lachance to the Youth Commission for an additional term expiring 7/1/04 and designate which of the six applicants will be appointed to the unexpired "alternate" term (to complete Courtney Pritchard's term) expiring 7/1/03:

Christina Escobar
Mary Joynt (incumbent)
Sandra Smith

Tianna Minter
Jonathan Spencer
Michelle Lachance (incumbent)

- b. Amend, modify or reject the above option.

Councilmember Finigan, seconded by Councilmember Picanco, moved to reappoint Michelle Lachance as a regular member for an additional term expiring 7/1/04, to designate Jonathan Spencer and Christina Escobar as alternate members with terms expiring 7/1/04, and Sandra Smith as an alternate member appointed to complete Courtney Pritchard's unexpired term expiring 7/1/03. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham

NOES: None

ABSTAIN: None

ABSENT: Heggarty

**25. Advisory Body Appointments – Citizen Airport Advisory Committee
Applicant Interview/Appointment Date**

J. App, City Manager

Schedule date for conducting interviews and making appointments for vacancies on the Citizens Airport Advisory Committee.

- 7 vacancies (five 2-year regular terms expiring October 31, 2004; and two 1-year unexpired alternate terms [to complete Brian Camsuzou and Suzanne Smith's terms] both expiring October 31, 2003)
- 15 applicants

Applicants:

Richard Adams
Lee Agon (incumbent)
Roger Blank
Steve Ellis
Alan Fillmore
J. Mac Gleim (incumbent)
Hal Kempthorne
Suzanne Smith (incumbent)

Jon Jones
Thomas Leatherwood
Stanley Levanduski
James L. McCall, III
Richard Morton (incumbent)
Larry Radka, Jr.
Ronald Rose (incumbent)

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

It was the consensus of Council to set Wednesday, October 9, 2002, as date for conducting interviews and making appointments for vacancies on the Citizens Airport Advisory Committee

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION

26. Transit Advisory Committee - Membership

M. Compton, Administrative Services Director

Consider reducing the number of appointees to the Transit Advisory Committee (TAC). (It is becoming increasingly difficult to recruit applicants for the committee. Reducing the number of members will mitigate this problem and make it easier for the TAC to have a quorum.)

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 Finigan, moved to reduce the number of appointees (members) to the Transit Advisory Committee to five and modify by-laws accordingly. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Heggarty

AD HOC COUNCIL BUSINESS – None

COUNCIL COMMENTS

Councilmember Nemeth encouraged anyone interested in supporting the monument to be placed in front of the new Public Safety Center to speak with either Police Chief Dennis Cassidy or Fire Chief Ken Johnson.

PUBLIC COMMENT ON CLOSED SESSION - None

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

Council moved to adjourn from regular session at 11:45 PM and thereupon adjourned to Closed Session. Motion passed by unanimous voice vote.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 1:00 AM on Wednesday, September 18, 2002.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

Deputy City Attorney Michael Seitz announced that no reportable action was taken.

By unanimous voice vote, Council moved to adjourn from regular session at 1:05 AM on Wednesday, September 18, 2002.

ADJOURNMENT: to THE ALL-CITY SUMMER PICNIC AT 3:00 PM ON FRIDAY, SEPTEMBER 20, 2002, AT BARNEY SCHWARTZ PARK, 2970 UNION ROAD; AND TO THE REGULAR MEETING ON TUESDAY, OCTOBER 1, 2002, AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved: November 19, 2002

CITY COUNCIL MINUTES
Tuesday, October 1, 2002 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 Present: Councilmembers Jim Heggarty, Gary Nemeth, Duane Picanco and Mayor Frank Mecham. Absent: Councilmember George Finigan

PUBLIC COMMENTS

- Del Velten commented on the successful Heritage Oaks Fun Run event this past Sunday.
- Pioneer Day representatives “Miss Daisy” Barbara Wilcox and Wanda Mumford reminded the community of the upcoming Pioneer Day celebration on October 12th. The parade will start at 10:00 a.m. and free beans will be served in the park after the parade.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

City Manager Jim App announced that Item No. 7 on the Consent Calendar is being tabled.

PRESENTATIONS - None

NOTICED HEARINGS

1. **Villa Lane Design Standard Waiver 02-002 (Charnley)**

R. Lata, Community Development Director

Consider approving a request to (1) modify City street design standards, including horizontal and vertical alignment and slope for Villa Lane, and realign a portion of 21st Street to avoid an oak tree; and (2) waive the sidewalk installation requirement on the property's Villa Lane and 21st Street frontages. (In March 2002, the Planning Commission approved Tentative Parcel Map 01-0102 for a three-lot subdivision of an existing 1.6-acre parcel located on the northwest corner of Villa Lane and 21st Street, subject to compliance with City's Street Design Standards. The Planning Commission reviewed the applicant's request in September 2002 and recommends approval.)

Mayor Mecham opened the public hearing. Speaking from the public was Tim Roberts (representing the applicant), Dale Gustin, Kathy Barnett and Del Velten. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth excused himself to address a personal issue and did not return until the beginning of Agenda Item No. 2.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to adopt Resolution No. 02-205:

- (1) Allowing a modification of City Hillside Street standards for vertical alignment to exceed 15%, and to allow curve radii and the intersection of Villa Lane with 21st Street to deviate from City standards; and
- (2) Allowing a waiver of Collector Street standards for the curb and gutter on 21st Street to "bulb out" around the existing oak tree on the north side of 21st Street, and the sidewalk meander around the tree; and
- (3) Approving the request for a waiver of sidewalk installation requirements on Villa Lane, and allow the applicant to install curb and gutter only per the applicable City Standards as required in conditions of approval for Tentative Parcel Map PR 01-102; and
- (4) Approving the request for a waiver of sidewalk installation requirements on 21st Street, and allow the applicant to install curb and gutter only per the applicable City Standards as required in conditions of approval for Tentative Parcel Map PR 01-102.

In addition, Council directed staff to investigate possible options for using waived sidewalk improvement monies to install needed curb, gutter and sidewalk improvements at other locations in the City.

Motion passed by the following roll call vote:

AYES:	Heggarty, Picanco and Mecham
NOES:	None
ABSTAIN:	None
ABSENT:	Finigan and Nemeth

2. Downtown Parking and Circulation Analysis and Action Plans

R. Lata, Community Development Director

Review the Draft Downtown Parking and Circulation Analysis and Action Plans and mitigated negative declaration therefor. (The City's Economic Strategy was prepared in part to provide guidance on the types of actions to ensure the continued revitalization of Downtown Paso Robles. In order to achieve the objectives of the revitalization efforts, four actions were identified: [1] development and implementation of a plan to optimize parking, including a parking plan for the Downtown; [2] support of "eased" parking restrictions; [3] initial planning for a City parking facility; and [4] development of a detailed circulation plan that is based on a citywide traffic study of the west wide and retail core.)

Council heard a presentation from Bill Dvorak of Kimley-Horn and Associates, Inc., on their Downtown Parking and Circulation Analysis and Action Plans final report.

Mayor Mecham opened the public hearing. Speaking from the public were Dale Gustin, John Roush, Steve Martin (President of the Main Street Association and member of Council's ad hoc committee on parking), Del Velten, Adam Fairbairn (past president of Main Street Association), Cathy David (Paso Robles Chamber of Commerce), Chuck Mendelson, Teresa Wasley (owner of Julia's Flowers), and Jerry Reneau. There were no further comments from the public, either written or oral.

Mayor Mecham moved to continue this item to a full workshop venue at 6:00 p.m. on Tuesday, October 29, 2002, to consider input from members of the community and downtown merchants on downtown parking and traffic circulation. Motion passed by the unanimous voice vote.

At 9:05 PM the City Council took a break, reconvening at 9:15 PM.

**ADJOURN TO JOINT MEETING OF PUBLIC FINANCING AUTHORITY,
REDEVELOPMENT AGENCY & CITY COUNCIL**

ROLL CALL Boardmembers Jim Heggarty, Gary Nemeth, Duane Picanco and Chairman Frank Mecham. Absent: Councilmember George Finigan

- 3.** Adopt Ordinance No. PFA-02-01, an ordinance of the Public Financing Authority of the City of El Paso de Robles, authorizing the issuance of a not to exceed \$13,000,000 principal amount of 2002 Installment Sale Revenue Bonds relating to improvements to the City of El Paso de Robles sewer system and the refunding of the 1993 El Paso de Robles Public Financing Authority Sewer Revenue Bonds, Series A, authorizing and directing execution of a related Indenture of Trust, Installment Sale Agreement and Escrow Deposit and Trust Agreement, authorizing the sale of 2002 Installment Sale Revenue Bonds (Sewer Enterprise Project), approving an Official Statement, an Official Notice of Sale and an Official Bid Form and authorizing official actions. FIRST READING WAS SEPTEMBER 17, 2002.

M. Compton, Administrative Services Director

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

Boardmember Nemeth, seconded by Boardmember Heggarty, moved to approve Consent Item No. 3. Motion passed by the following roll call vote:

AYES: Boardmembers Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Boardmember Finigan

ADJOURN TO CITY COUNCIL MEETING

CONSENT CALENDAR

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

Consent Calendar Items No. 4 to 8 and 9 to 16 were unanimously approved on a single motion by Councilmember Nemeth, seconded by Councilmember Heggarty, with the exception of Item No. 8 being pulled for discussion, and Councilmember Picanco abstaining on Item No. 6.

4. Approve Warrant Register - Warrant Nos. 35513-35627 (9/13/02) to 35628-35769 (9/20/02)
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:
Transit Advisory Committee meeting of June 5, 2002
Parks & Recreations Advisory Committee meeting of July 9, 2002
Housing Authority Board meeting of September 10, 2002
Library Board of Trustees meeting of August 8, 2002
6. Adopt Ordinance No. 838 N.S. amending the Zoning and Building Titles of the Municipal Code regarding allowing drive through uses within the C-1 Zoning District with a Conditional Use Permit – Code Amendment 02-010. DUE TO LACK OF A MAJORITY VOTE ON 9/3/02, 2ND READING OF THIS ORDINANCE WAS BROUGHT BACK TO COUNCIL ON 9/17/02. ITEM WAS THEN CONTINUED TO 10/1/02. FIRST READING WAS AUGUST 20, 2002.
R. Lata, Community Development Director
7. Table second reading of Ordinance No. XXX N.S. amending Title 21 (Zoning) of the Municipal Code to amend Table 21.16.200 to permit employee housing in Commercial, Industrial, Agricultural, and Parks and Open Space Districts as a Conditional Use (Code Amendment 02-011). (Subsequent to the September 17, 2002, City Council meeting, review of the Employee Housing Act indicates that compliance will involve a considerable amount of oversight by the “California Department of Housing and Community Development. Additional time is needed to assess the amount of involvement in, and consequences with, compliance of the Employee Housing Act.) FIRST READING WAS SEPTEMBER 17, 2002.
R. Lata, Community Development Director
9. Adopt Ordinance No. 840 N.S. amending Title 21 (Zoning) of the Municipal Code conditionally permitting churches, meeting halls, and Sunday schools in the Planned Industrial Zone (Code Amendment 02-009). FIRST READING WAS SEPTEMBER 17, 2002.
R. Lata, Community Development Director

10. Adopt Ordinance No. 841 N.S. amending Section 14.04.020 of the Municipal Code to adjust sewer and water user fees. (This section of the Municipal Code covers both sewer and water user fees. This ordinance, however, is to adjust sewer fees only.) FIRST READING WAS SEPTEMBER 17, 2002.
M. Compton, Administrative Services Director
11. Adopt Ordinance No. 842 N.S. authorizing the installment purchase of certain sewer improvements from the El Paso de Robles Public Financing Authority, authorizing and directing execution of an Acquisition Agreement and an Installment Sale Agreement, approving the sale of 2002 Installment Sale Revenue Bonds (Sewer Enterprise Project) by the Authority and authorizing official actions. FIRST READING WAS SEPTEMBER 17, 2002.
M. Compton, Administrative Services Director
12. Adopt Resolution No. 02-206 declaring certain City property as surplus and authorize their sale by public auction. (Council has authorized the distribution of bids for the annual replacement of various City vehicles and equipment. Disposal of said equipment cannot take place until formally declared surplus.)
M. Compton, Administrative Services Director
13. Adopt Resolution No. 02-207 approving budget appropriations for fiscal year 2002 carryover requests. (Encumbrances represent carryover requests for unspent budget appropriations for the fiscal year just closed. It has been the policy and past practice of the City that encumbrances are limited to capital outlay, capital improvements, special consultant services, and other non-routine, one-time budget appropriations that are unspent at year end.)
M. Compton, Administrative Services Director
14. Approve revised by-laws reducing the number of appointees (members) to the Transit Advisory Committee (TAC) to five. (The current by-laws provide for a seven-member committee. It is becoming increasingly difficult to recruit applicants when vacancies occur. Reducing the number of members will mitigate this problem and make it easier for the TAC to have a quorum.)
M. Compton, Administrative Services Director
15. Adopt Resolution No. 02-208 annexing Parcel Map PR 01-263 as part of Subarea 71 in the Paso Robles Landscape and Lighting District No. 1. (Property is located on Sherwood Road between Commerce Way and Fontana Road. Council accepted the Final Parcel Map at its meeting of August 6, 2002.)
R. Lata, Community Development Director
16. Adopt Resolution No. 02-209 awarding a security services contract for off-hours security services for Barney Schwartz Park (BSP) to In-House Security beginning immediately and continuing through June 30, 2003. (Bids were solicited for off-hours security services at BSP and opened on September 9, 2002. Two companies, In-House Security and Five Cities Security, submitted an identical low bid of \$39,260. Since one bidder is from Paso Robles, and the City Council may select either low bidder, it would appear consistent with policy and state law to select In-House Security from Paso Robles to provide security services for Barney Schwartz Park.)
J. Deakin, Public Works Director

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Consent item pulled for discussion:

8. Adopt Ordinance No. XXX N.S. amending Title 21 (Zoning) of the Municipal Code to amend Chapter 21.20 to re-establish regulations prohibiting use of travel trailers, recreational vehicles, and campers as residences in Residential Zoning Districts (Code Amendment 02-012). FIRST READING WAS SEPTEMBER 17, 2002.
R. Lata, Community Development Director

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

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to adopt Ordinance No. 839 N.S. amending Title 21 (Zoning) of the Municipal Code to amend Chapter 21.20 to re-establish regulations prohibiting use of travel trailers, recreational vehicles, and campers as residences in Residential Zoning Districts (Code Amendment 02-012). Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Finigan

PUBLIC DISCUSSION

17. **San Luis Obispo Council of Government's Countywide Draft Regional Housing Needs Plan**

R. Lata, Community Development Director

Consider (1) establishing a position on the State Department of Housing, and Community Development's growth projections for the County of San Luis Obispo and on the San Luis Obispo Council of Governments (SLOCOG's) subsequent apportionment of the growth to each of its member agencies; and (2) authorizing release of a draft letter to SLOCOG providing comments on the Countywide Draft Regional Housing Needs Plan (RHNP). (The City's Economic Strategy has been to meet the General Plan goal of providing a diverse housing stock for residents at all income levels. SLOCOG's RHNP appears to be a reasonable approach to complying with state law. At its September 17, 2002, meeting, it was Council's consensus to encourage SLOCOG to modify its distribution model by using household growth as the method of apportionment; to urge SLOCOG to develop incentives for those communities that address their allocations; to state the City's opposition to the State's intrusion in local land use decisions; and to reluctantly, under protest, endorse SLOCOG's RHNP.)

Mayor Mecham opened the public hearing. Speaking from the public was Kathy Barnett and Ron DeCarli (Director of the San Luis Obispo Council of Governments). There were no further comments from the public, either written or oral, and the public discussion was closed.

After review of the draft response letter to SLOCOG on the Countywide Draft RHNP, Council, by unanimous voice vote, moved to approve the letter with revisions to paragraph 3, bullet 2, to delete the wording "*and in protest*" and to change the wording in bullet 3 from "*encourage SLOCOG*" to "*strongly request SLOCOG*."

18. Rambouillet/Nicklaus Traffic Calming Corridor Study

J. Deakin, Public Works Director

Consider implementing a Rambouillet Road/Nicklaus Drive Traffic Calming Study. (In March 2002, Omni-Means presented its traffic calming study of the Rambouillet Corridor to the Streets and Utilities Committee. The cost to implement the Consultant's recommendations is \$14,000 to \$20,000.)

Marty Inouye of Omni-Means conducted a visual presentation of their Rambouillet Road and Nicklaus Drive Speed Survey.

Mayor Mecham opened the public hearing. Speaking from the public were Mike Menath and Chuck Mendelson. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to direct staff to consider this appropriation in the fiscal year 2003/2004 budget. Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Finigan

19. Community Development Block Grant (CDBG)-funded LED-lighted Crosswalks

R. Lata, Community Development Director

Consider which intersection is to be provided with a LED-lighted crosswalk with Federal Community Development Block Grant funds. (On March 5, 2002, Council allocated \$24,000 from 2002 CDBG funds to install LED-lighted crosswalks in one intersection. The Police Department has identified three intersections as having the most need to enhance the safety of pedestrian students.)

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 Heggarty, moved to direct staff to seek bids to install an LED-lighted crosswalk at 24th and Oak Streets, serving Flamson Middle School. Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Finigan

20. Retain Fire Engine Slated for Surplus

K. Johnson, Chief of Emergency Services

Consider retaining one fire engine, scheduled for replacement, to serve as a reserve apparatus. (The City is scheduled to take possession of two new fire engines in mid-October. Fire Engine 8191 is one of the engines being replaced as a first-out unit; however, the unit can still have a useful life as a backup unit when one of the new engines is scheduled for maintenance, when an engine is needed for subsequent emergency calls, or in the event of a major incident.)

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

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to adopt Resolution No. 02-210 approving an increase of one fire engine to the City's fleet by designating Engine 8191 (City Unit 214) as a reserve fire engine. Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Finigan

21. Reserve Police Officer Monthly Stipend

D. Cassidy, Chief of Police

Consider increasing Reserve Police Officer monthly stipend. (The current stipend has not been increased since fiscal year 1999/2000. Effective July 1, 1999, the California Police Officer Standards of Training [POST] began requiring a more extensive training program for reserve police officers. This change now requires Level I reserve police officers to attend the same POST basic police academy that regular police officers attend. By increasing the current stipend, it will assist current reserve officers/dispatchers in maintaining their personal equipment, and aid in attracting qualified candidates to fill vacant reserve positions.)

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 to authorize increasing the current \$200 per month stipend to reserve police officers and dispatchers to \$250 per month during fiscal year 2002/2003, and to further increase this stipend from \$250 per month to \$300 per month starting fiscal year 2003/2004. Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Finigan

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22. Phase II Storm Water Management Plan

J. Deakin, Public Works Director

Consider preparation of a Storm Water Management Plan. (In 1999, the United States Environmental Protection Agency [U.S. EPA] promulgated regulations, known as Phase II, requiring permits for storm water discharges from small municipalities and from construction sites disturbing between one and five acres of land. The U.S. EPA published the final rule with regards to the National Pollutant Discharge Elimination System, and the City of Paso Robles is required to submit a Notice of Intent to comply with the EPA ruling, along with the preparation of a Storm Water Management Program. Both must be completed and submitted to the Regional Water Quality Control Board by March 10, 2003.)

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 Mayor Mecham, moved to adopt Resolution No. 02-211: (1) approving a one-time appropriation of \$45,000 to Budget Account No. 217-310-5224-348 from the Storm Drainage Development Impact Fees; and (2) authorize staff to execute an Agreement with URS Corporation of Santa Barbara to prepare a Notice of Intent and a Storm Water Management Program for a fee of \$39,800. Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Finigan

22.1 Employee Group Benefit Plan – Health Insurance

M. Williamson, Assistant to the City Manager

Consider a new employee group health insurance plan. (On September 13, 2002, the California Department of Managed Care appointed a conservator to manage the operations of Lifeguard, the City’s group health insurance provider. On September 25th, the conservator indicated that Lifeguard’s HMO plan would be discontinued by December 31, 2002. The City obtained quotes from Blue Cross for three alternative health care plans. The City employee associations/groups have all endorsed, and will participate in the cost of, an October 1 change to the Blue Cross PPO-1 health care plan.)

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 Heggarty, moved to adopt Resolution No. 02-212 approving a group health insurance plan change to the Blue Cross PPO-1 Plan, effective October 1, 2002, and appropriating \$77,000 from General Fund reserves. Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Finigan

CITY MANAGER

23. Tourism Promotion Service Agreement

J. App, City Manager

Consider an agreement with the Paso Robles Visitors & Conference Bureau (VCB) for tourism promotion services. (The Economic Development Strategy includes a goal to “develop Paso Robles into an ‘end-destination’ tourist attraction.” One of the Strategy’s key implementation measures to achieve that objective is to focus on tourism promotion.)

Mayor Mecham opened the public hearing. Speaking from the public was Kathy David (Paso Robles Chamber of Commerce), Matt Masia, Paul Wallace and Dana Stroud (Paso Robles Visitors and Conference Bureau). There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to adopt Resolution No. 02-213 authorizing the Mayor to execute a tourism promotion agreement with Chamber of Commerce, Inc. and appropriating \$19,000 from General Fund reserves for fiscal year 2003. Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: Finigan

CORRESPONDENCE – None

- Councilmember Heggarty suggested that Council have further discussion of the J. Paul Winery project scheduled for development near the Municipal Airport. It was the consensus of Council to bring this item forward at the next City Council meeting of Wednesday, October 9th.

COUNCIL COMMENTS – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS – None

PUBLIC COMMENT ON CLOSED SESSION - None

City Attorney Iris Yang announced Council's authority to go into closed session to discuss the items listed on the agenda.

Council moved to adjourn from regular session at 11:00 PM and thereupon adjourned to Closed Session. Motion passed by unanimous voice vote.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 11:25 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Iris Yang announced that no reportable action was taken.

By unanimous voice vote, Council moved to adjourn from regular session at 11:27 PM.

ADJOURNMENT: to THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, OCTOBER 2 – 5, 2002, AT THE LONG BEACH CONVENTION CENTER, 300 E. OCEAN BLVD.; TO THE AIRPORT ADVISORY INTERVIEWS/APPOINTMENTS AT 7:00 PM ON WEDNESDAY, OCTOBER 9, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved: November 19, 2002

CITY COUNCIL MINUTES
Wednesday, October 9, 2002 7:00 PM

**ADVISORY BODY INTERVIEWS & APPOINTMENTS:
CITIZENS AIRPORT ADVISORY COMMITTEE**

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 – 2nd Floor Large Conference Room

ROLL CALL Present: Councilmembers George Finigan, Jim Heggarty, Gary Nemeth,
Duane Picanco and Mayor Frank Mecham.

PUBLIC COMMENTS - None

1. Interviews & Appointments – Citizens Airport Advisory Committee

J. App, City Manager

Interview and make appointments to the Citizens Airport Advisory Committee.

- 7 vacancies (five 2-year regular terms expiring 10/31/04 & two 1-year unexpired alternate terms [to complete Brian Camsuzou and Suzanne Smith's terms] both expiring 10/31/03)
- 13* applicants (5 incumbents)

*Applicants Lawrence Radka and Thomas Leatherwood withdrew their applications subsequent to the September 17th Council meeting

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

After interviewing all applicants, it was the consensus of Council that this item be laid on the table.

City Council took a 5-minute break at 7:57.

2. JPaul Winery Comment Letter

J. Deakin, Public Works Director

Review a proposed winery/tasting room development on Dry Creek Road, and determine if additional comments to the County Planning Commission are in order. (The City Council acted on this issue on November 6, 2001. The issue involves review of a proposed development, a winery and various buildings, on a 39-acre parcel on Dry Creek Road outside the City limit, 4,000 feet from Paso Robles Airport Runway 13-31. Although approved by the County Airport Land Use Commission [ALUC], members of the City Council and City's Airport Advisory Committee [AAC] have expressed continued concerns about the proposed project.)

Mayor Mecham opened the public hearing. Speaking from the public were Chuck Miller, Joe Chouinard, Mac Gleim, Richard Morton, Dutch Sawyer, and Wayne Caruthers. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Finigan, moved to direct staff to submit additional comments to the County Planning Commission regarding the proposed JPaul Winery project. Comments to include reference to approved City documents (e.g., Vision Statement and Master Plan), emphasis on the proposed Master Plan update, affirmation of the Airport Land Use Planning Handbook, review proposed future runway length and ILS (instrument landing system), and suggestion that City representative's and Airport Advisory Committee member's recommendations be taken into consideration.

City Council took a 10-minute break at 10:15.

1. Interviews & Appointments – Citizens Airport Advisory Committee

J. App, City Manager

Item No. 1 was removed from the table.

After discussion and review of candidate qualifications, it was the consensus of Council to make the following appointments to the Citizens Airport Advisory Committee: Lee Agon, James Gleim, Stanley Levanduski, James McCall, Richard Morton, Ronald Rose, and Suzanne Smith.

Council moved to adjourn from regular session at 10:38 PM. Motion passed by unanimous voice vote.

ADJOURNMENT: to THE COUNCIL CANDIDATE FORUM AT 7:00 PM ON THURSDAY, OCTOBER 10, 2002, AT LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, OCTOBER 15, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved: November 19, 2002

CITY COUNCIL MINUTES
Tuesday, October 15, 2002 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 Present: Councilmembers George Finigan, Jim Heggarty, Gary Nemeth, Duane Picanco and Mayor Frank Mecham.

PUBLIC COMMENTS

- Virginia Harris announced the beginning of the 2002 Toy Bank drive starting November 1st.
- Susan Harvey, President of Paso Watch, invited the public to a Candidates Forum to be held on October 16th from 7:00 – 9:00 PM at the Castoro Cellars.
- Greg Kudlick, representing a local neighborhood association, requested Council to consider changing the zoning of one lot in their neighborhood to prohibit a mortuary being built in the Mountain Springs neighborhood.
- Del Velten commented on the function and duties of government.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

City Manager Jim App announced that Agenda Item No. 3 (Chandler Ranch Specific Plan) is being recommended for continuation to November 14th.

PRESENTATIONS

1. **Disability Achievement Day – Camp Hope Celebration Proclamation October 15th**

Mayor Mecham presented a proclamation to Marty Mimmack in honor of *Disability Achievement Day*. Debra McNulty, President of the United Cerebral Palsy Board, provided background on the founding of Camp Hope and their goals for the future.

Council took a 5-minute break to allow for presentation set-up.

2. **Paso Robles School Facilities: School District Measures M & N**

J. App, City Manager

Jeannie Dugger, President of School Board of Trustees, introduced Patrick Sayne, Superintendent of the Paso Robles School District. Dr. Sayne conducted a presentation on the November 2002 Paso Robles School District school facilities bond measures, and asked for Council's support of the measures.

Mayor Mecham opened the public hearing. Speaking from the public were Dale Gustin, Gordon Arnold, Del Velten and Joy Sprague. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Finigan, moved to receive and file the presentation by Dr. Sayne. Motion passed by the following roll call vote:

AYES:	Finigan, Heggarty, Nemeth, and Picanco
NOES:	Mecham
ABSTAIN:	None
ABSENT:	None

NOTICED HEARINGS

3. **Chandler Ranch Area Specific Plan – Workshop & Meeting Schedule**

R. Lata, Community Development Director

Consider a continuance of discussion regarding the Chandler Ranch Area Specific Plan to an adjourned regular/special workshop meeting.

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

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to continue discussion of the Chandler Ranch Area specific Plan to an adjourned regular/special workshop on Thursday, November 14, 2002, at 7:00 p.m. in the Library/City Hall Conference Center. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Council took a 5-minute break to allow for presentation set-up.

4. General Plan Alternatives: Planning Commission Recommendation of an Alternative for Further Study and Analysis

R. Lata, Community Development Director

Consider the Planning Commission's recommendation regarding a General Plan alternative for further study and analysis. The selected alternative would be the subject of an Environmental Impact Report and be the basis for draft General Plan elements for future discussion and formal consideration. (The City's consultant, Rincon Associates, has presented four General Plan alternatives. One alternative would maintain the current 35,000 build-out projection and extend that projection to the "Planning Horizon" of 2025. The three other alternatives project varying degrees of growth in terms of both population and geographic expansion of the City. Identification of a selected or "preferred" alternative is one step in a multi-phase process leading to a comprehensive update of the General Plan. No final decision regarding the appropriate land use alternative will be made without consideration of the Environmental Impact Report, Fiscal Impact Analysis and the detailed evaluation of the selected or "preferred alternative," as well as a comparative consideration of the other alternatives.)

John Rickenbach, Rincon Consultants, made a short presentation providing further information on the General Plan Update Program and the land use alternatives under discussion. The public was invited to pose questions and provide comments on the alternatives presented.

Mayor Mecham opened the public hearing. Speaking from the public were Peter Pommer, Susan Harvey, Dale Gustin, Del Velten, Edith Spencer, Mike Menath, Cody Ferguson, Greg Kudlick, Neil Olsen and Joy Sprague, Daniel Simpson, Larry Werner, Rick Reynolds, Tom Rusch, and Kathy Barnett. Vickie Cromwell provided written comments in support of including a Historic Preservation Overlay in the General Plan. There were no further comments from the public, either written or oral, and the public hearing was closed.

Council took a break at 9:50 p.m., reconvening at 10:00 p.m.

After considering all available information and public testimony, plus the Planning Commission's recommendation, Councilmember Nemeth, seconded by Councilmember Finigan, moved to select Alternative 1 for further study and analysis in an Environmental Impact Report, Fiscal Impact Analysis, and in draft General Plan Elements, in order to secure the most in-depth technical information for use in determining the appropriate level of growth; and further directed that the selected alternative is to be compared to the remaining alternatives. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Nemeth and Mecham
NOES: Picanco
ABSTAIN: None
ABSENT: None

CONSENT CALENDAR

Consent Items No. 5 to 10 were approved unanimously on a single motion by Councilmember Nemeth, seconded by Councilmember Heggarty.

5. Approve City Council minutes of September 23, 2002.
D. Fansler, City Clerk
6. Approve Warrant Register - Warrant Nos. 35770-35936 (9/27/02) to 35937-36044 (10/4/02)
M. Compton, Administrative Services Director
7. Receive and file Advisory Body Committee minutes as follows:
Citizens Airport Advisory Committee meeting of August 12, 2002
Youth Commission meeting of September 4, 2002
8. Proclamation – November 2002 Toy Bank Month
F. Mecham, Mayor
9. Adopt Resolution No. 02-214 accepting a negotiated exchange of property tax revenue and annual tax increment between the County of San Luis Obispo and the City (Durand Annexation No. 83). (Subject property is approximately 16 acres located on the west side of Theater Drive, south of Boatman Furniture. When a property is annexed into the City, the responsibility and costs for provision of property based services shifts to the City. City and County officials discussed the exchange rate for the Durand Annexation. Consistent with established County policy for commercial property, there will be no shift of property tax revenues.)
J. App, City Manager
10. Adopt Resolution No. 02-215 accepting the recordation of Tract 2350 (Phases 1 and 2), a 91-lot subdivision located on Rolling Hills Road and Golden Hill Road, north of Creston Road, and accept the offers of dedication for Solida Del Sol, Vista Colina and portions of Rolling Hills Road and Golden Hill Road; and approving the Subdivision Improvement Agreement for Tract 2350 (Phases 1 and 2), authorizing deferred construction of the subdivision improvements, with an established deadline of October 15, 2003 to complete these improvements; authorize the Mayor to execute the Agreement; and adopt Resolution No. 02-216 annexing Tract 2350 into the Landscape and Lighting District. (The Planning Commission originally approved this tract in November 1999. The original tentative tract map approval expired. The tentative tract map was approved a second time in April 2002. With

the exception of the construction of the public improvements, all conditions imposed by the Planning commission have been satisfied.)

R. Lata, Community Development Director

PUBLIC DISCUSSION

11. Water/Wastewater Quality

J. Deakin, Public Works Director

Consider engaging the services of Malcolm Pirnie (an engineering/hydrogeological firm in Emeryville, California) to develop a water quality strategy for the City to address several interdependent issues concerning water supply, wastewater effluent treatment, and water and wastewater quality. (Malcom Pirnie is one of four companies who responded to the City's Request for Statement of Qualifications sent to over 25 firms. The firms were asked to submit a fee proposal based on a Scope of Work to prepare a comprehensive water supply and quality plan much like the City's Sewer & Water Master Plan or the City's General Plan. The City requires the assistance of engineers and groundwater and wastewater experts who have extensive experience in groundwater, water supply planning, surface water quality and wastewater quality, treatment, and reuse.)

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 (1) adopt Resolution No. 02-217 appropriating a one-time allocation of \$40,000 to Budget Account No. 600-310-5224-350 and \$40,000 to Budget Account No. 601-310-5224-350 coming from the Water Enterprise Fund and Sewer Enterprise Fund, respectively; and. (2) direct staff to enter a Service Agreement with Malcolm Pirnie to prepare a Water/Wastewater Quality Study for a not-to-exceed fee of \$79,160. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

12. Vehicle Replacement – Sports Utility Vehicles (SUVs)

J. Deakin, Public Works Director

Review the remaining unbid vehicles—two Sports Utility Vehicles—on the vehicle replacement list and direct staff on a course of action. (During the City vehicle purchase planning, City departments were asked to review the list of vehicles slated for replacement and provide specific input on vehicle use and alternatives. Community Development Department staff expressed the need for large-size SUVs versus the mid-size SUV models they currently operate. Staff research indicates that if the large SUV category vehicle is bid and purchased, the Department is more likely to receive a vehicle that will meet the City's needs.)

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 Heggarty, moved to direct staff to proceed to bid with the replacement vehicles originally included on the replacement list (two mid-size Sports Utility Vehicles), including the Chevrolet Trail Blazer and the Ford Explorer. Motion passed by the following roll call vote:

AYES: Heggarty, Picanco and Mecham
NOES: Finigan and Nemeth
ABSTAIN: None
ABSENT: None

13. Microsoft Office and Server Licenses – Plan Change & Budget Appropriation

D. McCue, Information Systems Manager

Consider authorization of expenditures for Microsoft licensing upgrades required for the City's computer operations. (Changes to Microsoft's Open License program initiated in October 2001 prohibit volume-licensing customers from purchasing upgrade licenses. Under Microsoft's current licensing plan, customers purchase software on maintenance plans called Software Assurance and Upgrade Advantage. Because of a July 31, 2002, deadline, the City Manager authorized spending the necessary funds to provide the latest Microsoft Office and Server software for the next 24 months and to obtain the licenses at the best value for the City, resulting in a \$10,000 savings.)

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 Mayor Mecham, moved to adopt Resolution No. 02-218 appropriating an additional \$13,500 from General Fund reserves to Budget No. 100-130-5212-120 to fund remaining balance on purchase of Microsoft software licenses. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

13.1 Request to Remove an Oak Tree – Within Playground Located Behind 1401 Stoney Creek Road (Yinger/Mark IV)

R. Lata, Community Development Director

Consider a request from Dr. Joanne Yinger/Mark IV Property Management Systems to remove one 58-inch White Oak. (A request to consider removal of this tree went before Council in December 2001. Council denied request at that time, and the tree was subsequently trimmed. Since the trimming, multiple branches have fallen from the tree and damaged private property improvements.)

Mayor Mecham opened the public hearing. Speaking from the public was Mike Menath and Joanne Yinger. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Mayor Nemeth, moved to adopt Resolution No. 02-219 approving the oak tree removal request based on the arborist report identifying that the tree's health is beyond trimming and should be removed before the tree causes injury to the public or damage structures, and requiring replacement White Oak trees at a replacement ratio of 14.5 inches conforming to Section 10.01.040 of the Paso Robles Municipal Code. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

CITY MANAGER - None

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

14. Orchard Bungalow Assessment District – Ad Hoc Committee

J. Deakin, Public Works Director

Consider extending an ad hoc committee formed in March 2001 to review Orchard Bungalow Assessment District street issues.

Councilmember Heggarty stepped down from the dais making a declaration of conflict

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 Finigan, moved to extend the duration of the ad hoc committee for reviewing Orchard Bungalow Assessment District street issues to April 15, 2003. Motion passed by the following roll call vote:

AYES: Finigan, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: Heggarty
ABSENT: None

Councilmember Heggarty was reseated at the dais.

Deputy City Attorney Jon Seitz announced Council's authority to go into closed session to discuss Item (b) on the agenda and announced that Item (a) has been removed, as the matter was resolved prior to the meeting.

PUBLIC COMMENT ON CLOSED SESSION - None

Council moved to adjourn from regular session at 11:55 PM and thereupon adjourned to Closed Session. Motion passed by unanimous voice vote.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 11:57 pm.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

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

By unanimous voice vote, Council moved to adjourn from regular session at 1:00 AM on Wednesday, October 16, 2002.

ADJOURNMENT: to THE WORKSHOP ON DOWNTOWN PARKING & CIRCULATION AT 6:00 PM ON TUESDAY, OCTOBER 29, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, NOVEMBER 5, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved: November 19, 2002

CITY COUNCIL MINUTES

Tuesday, November 5, 2002 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 Present: Councilmembers George Finigan, Jim Heggarty, Gary Nemeth, Duane Picanco and Mayor Frank Mecham.

PUBLIC COMMENTS

- Dan Hodgins asked Council to approve a loading zone in front of the apartment building at 2940 Spring Street.
- Joe Prayer encouraged citizenry to join in prayer during *Thanksgiving Prayer Week* (November 28 – December 5).

AGENDA ITEMS TO BE DEFERRED (IF ANY)

- City Manager Jim App announced that Item No. 2 has been recommended for continuance to December 3rd and the Chandler Ranch Specific Plan Workshop (scheduled for November 14th) will be rescheduled.

PRESENTATIONS

1. **Foreign Exchange Student Recognition** (Kathy Myers & Greg Williams, International Club)

As students were not present, Mayor Mecham will present recognitions on a separate occasion at the High School.

NOTICED HEARINGS

2. **Continue Hearing Regarding New Design Standard for Olive Drive, between 4th and 6th Streets (City-initiated)**

R. Lata, Community Development Director

Consider a continuance of this item regarding a request to establish a new design standard for Olive Drive. (The Planning Commission held a public hearing on October 22nd to consider this request and determined that further research and evaluation was needed prior to making a recommendation to the City Council. Staff will be reviewing available topographical data and conducting field visits to ensure the proposed design is feasible and addresses the needs and concerns of the community.)

Mayor Mecham opened the public hearing. There were no comments from the public.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to continue the open public hearing to the Council's regular meeting on December 3, 2002. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

CONSENT CALENDAR

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

Consent Calendar Items No. 3–7, 9–12 and 14 were unanimously approved on a single motion by Councilmember Heggarty, seconded by Councilmember Picanco, with the exception of Item Nos. 8 and 13 being pulled for discussion.

3. Approve Warrant Register: Warrant Nos. 36045-36203 (10/11/02) to 36361-36509 (10/25/02) M. Compton, Administrative Services Director

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

Youth Commission meeting of September 4 and September 18, 2002
Senior Citizen Advisory Committee meeting of September 9, 2002
Pioneer Museum Board meeting of October 10, 2002
Parks & Recreation Advisory Committee meeting of September 10, 2002
Housing Authority Board meeting of October 8, 2002

5. Proclamation – November 28 – December 5 *Thanksgiving Prayer Week* F. Mecham, Mayor

6. Adopt Resolution No. 02-222 accepting the recordation of Parcel Map PR 01-186, a 4-lot residential subdivision located on Prospect Avenue at the northeast corner of Union Road, and accepting the offers of dedication for Prospect Avenue and Union Road; and adopt Resolution No. 02-223 annexing Parcel Map PR 01-186 into the Landscape and Lighting District. (Parcel Map was tentatively approved by the Planning Commission on July 10, 2001. All conditions imposed by the Planning Commission have been satisfied. Applicant: Rosalva Muir)
R. Lata, Community Development Director
7. Adopt Resolution of Intent No. 02-224 abandoning an 80-foot wide unimproved street a shown on the Exhibits A & B and setting December 3, 2002, in the Paso Robles City Hall, 1000 Spring Street, for public hearing for all persons interested or having objection to the proposed closing. (Abandonment request was submitted by Lupe Lujan and Chris Thomas. (Property is east of Riverside, south of Pioneer Museum, between 18th and 19th Streets. The purpose of their request is to provide the opportunity to more fully develop their properties.)
R. Lata, Community Development Director
9. Adopt Resolution No. 02-226 awarding a construction contract to low-bidder Central Valley Asphalt in the amount of \$107,500 to repair the tennis courts at Centennial and Sherwood Parks. (The four asphalt courts at Sherwood Park were resurfaced over ten years ago and are currently in severe disrepair. The four courts at Centennial Park need patching, painting and general rehabilitation. The City advertised for bids and plans were provided to Plan Rooms for circulation to prospective contractors. At the Bid Opening on October 10th, five bids were received, ranging from a low bid of \$107,500 to a high bid of \$199,000.)
J. Deakin, Public Works Director
10. Adopt Resolution No. 02-227 awarding the purchase of two All Terrain Vehicles and trailer to the low-bidder, Powerhouse in the amount of \$13,171.61. (Bid packages were sent to four vendors [ATV Agricultural Services, Powerhouse, R&R Sportcenter, and Tractor Trailer Barn], and notice was published in the local newspaper. At the Bid Opening on October 15th, three bids were received, ranging from a low bid of \$13, 171.61 to a high bid of \$13,639.43. Note: These vehicles will not be included in the City's Vehicle Replacement Program.)
D. Cassidy, Chief of Police
11. Approve expanded use of Centennial Pool on a trial basis for public use during the winter months of 2002/03. (There is increased demand on pool time/space for practice by various swimming programs. Expanded use of Centennial Pool could ease the challenge of practice time availability. Funds for the trial expansion are available in the 2002-03 Library and Recreation budget.)
B. Partridge, Library & Recreation Services Director
12. Approve 3-year agreement with the Paso Robles Main Street Association and authorize the Mayor to execute the agreement. (Paso Robles Main Street has provided downtown promotion services to the City for more than a decade. During the term of their service, the downtown has experienced a rebirth and significant expansion of commerce and activity. Council's appointed ad hoc committee met with Main Street staff and Board representatives, and recommends adoption of this 3-year agreement.)
B. Partridge, Library & Recreation Services Director
14. Introduce for first reading Ordinance No. XXX N.S. that would amend Chapter 17.04 of the Municipal Code, thereby adopting the 1997 Edition of the Uniform Building Code and 2000 Editions of the support codes; and set November 19, 2002, as the date for adoption of said Ordinance; introduce for first reading Ordinance No. XXX N.S. amending Title 17, Changes or Additions to the Uniform Codes; and set November 19, 2002, as the date for adoption of

said Ordinance; adopt Resolution No. 02-228 making findings for amendment of the Uniform Codes based on topographical, geographical and climatic conditions relative to the City of Paso Robles; and adopt Resolution No. 02-229 updating fees associated with the Building Permit and Plan Review process. (The State of California amended and adopted the 1997 Edition of the Uniform Building Code and 2000 Edition of the Uniform Plumbing and Mechanical Codes, effective November of 2002. Should the Codes not be adopted, they will become effective by State mandate without the local amendments that meet the specific needs of the City. Adopting of Building Standards Valuation tables published by the International Conference of Building Officials would result in an adjustment of building permit fees of approximately nine percent. The adoption of the fee schedule is not included in the State mandate, but is needed to cover City processing costs.)

R. Lata, Community Development Director

Consent items pulled for discussion:

8. Adopt Resolution No. 02-225 awarding a construction contract to low-bidder Southwest Coatings, Inc., in the amount of \$209,800 to re-coat the interior of the "old" 4-million gallon water tank at Golden Hill Road. (On September 9 and October 7th staff advertised for bids for this project. Plans and specifications were provided to ten Plan Rooms. Seventeen contractors obtained plans, and at the Bid Opening on October 24th, nine bids were received, ranging from the low bid a \$209,800 to a high bid of \$349,100.)

J. Deakin, Public Works Director

13. Adjust fees for electronic archiving Construction and Development documents in conjunction with adopting the 1997 Building Code and 2000 Uniform Codes (Since 1999, funds have been collected under a specified General Ledger number to offset the cost of electronically archiving building plans. Because of increases for the cost of service and the number of CD disks required per project, the Building Division is collecting only 57% of the cost of archiving letter and legal size materials associated with building projects. The Planning Division proposes to join the Building Division in electronically archiving development documents in 2003. The required fee adjustment would offset the projected costs of electronic archiving for both divisions for fiscal year 2002-03.)

R. Lata, Community Development Director

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

Consent Calendar Items No. 8 and 13 were unanimously approved on a single motion by Councilmember Heggarty, seconded by Councilmember Nemeth. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

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PUBLIC DISCUSSION

15. Draft Letters to the SLO Council of Governments and State of California Department of Housing

R. Lata, Community Development Director

Consider authorizing the Mayor to send the attached letters to the San Luis Obispo Council of Governments (COG) and the State of California Department of Housing and Community Development (HCD). (As the General Plan is currently being updated and an updated Housing Element is required by December 31, 2003, it is essential that either the COG or State HCD provide the housing allocation numbers to consider in the preparation.)

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 Finigan, moved to authorize the Mayor to sign and send the attached letters. Motion passed by the following unanimous roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

16. Disposition of Real Property – Fire Station No. 1

J. App, City Manager

Determine disposition of the soon-to-be vacated Fire Station No. 1 (The City-owned property at 623 13th Street and 1314 Oak Street has served as Fire Station No. 1. West-side fire station operations will be relocated to the new Public Safety Center by 2003, leaving the station vacant following the relocation. The fire station property is a valuable asset; if Council determines it has no future Municipal purpose, it can be leased or sold.)

Mayor Mecham opened the public hearing. Speaking from the public were Tom Martin, John Hamon, Rick Menton, Rob Nash, and Emily Reneau. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Heggarty, authorized commencement of negotiations with the Children’s Museum Board of Directors to provide Fire Station No. 1 on lease for development and operation of a Children’s Museum. Motion passed by the following roll call vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

17. Code Provisions that Allow for Consideration of Proposals for a Mortuary in Residential Zones

R. Lata, Community Development Director

Consider whether or not to direct staff to initiate a Zoning Code Amendment that would eliminate the opportunity for an applicant to apply for a Conditional Use Permit to establish a mortuary on multi-family zoned property within 300 feet of a cemetery. (In recent weeks there has been informal contact with a local engineering firm representing owners of a local mortuary. Although no application has been filed, there appears to be interest in applying for a Conditional Use Permit for a mortuary on a site in the vicinity of the Paso Robles District Cemetery. Property owners in the vicinity are concerned about the potential of a mortuary in their neighborhood, and have filed a draft application for a Zoning Code Amendment.)

Mayor Mecham opened the public hearing. Speaking from the public: Grace Leisy, Rick Fields, Doug Barr, Holly Driver, Sue Tibada, Kevin Shook, Randall Blair, Dale Weatherwax, Steve Gregory, Katie Wetherstrand and Greg Kudlick are seeking a code amendment to preclude the opportunity to file a development application for a mortuary on R-2, R-3 or R-4 property within 300 feet of the cemetery. Clark Andrews, Tom Flynn, Larry Werner and John Belcher wish to retain the current code provisions that allow an applicant to file for a Conditional Use Permit for a mortuary. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Picanco, moved to direct staff to initiate a Zoning Code Amendment to eliminate the existing provisions that would allow an applicant to apply for a Conditional Use Permit to establish a mortuary on multi-family zoned property within 300 feet of a cemetery. Motion passed by the following roll call vote:

AYES: Heggarty, Picanco and Mecham
NOES: Finigan and Nemeth
ABSTAIN: None
ABSENT: None

CITY MANAGER - None

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS - None

By unanimous voice vote, Council moved to adjourn from regular session at 8:48 PM.

ADJOURNMENT: to THE UCSB ECONOMIC FORECAST PROJECT 7:15 AM ON FRIDAY, NOVEMBER 8, 2002, AT THE EMBASSY SUITES HOTEL, 333 MADONNA ROAD, SAN LUIS OBISPO; AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR CITY COUNCIL MEETING 7:30 PM ON TUESDAY, NOVEMBER 19, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Cindy Pilg, Deputy City Clerk
Approved: November 19, 2002



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