

**MINUTES OF THE ADJOURNED REGULAR MEETING  
PASO ROBLES CITY COUNCIL**

**Tuesday, May 15, 2001 7:30 PM**

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**CALL TO ORDER** – Library/City Hall Conference Center

The City Council of the City of El Paso de Robles, meeting in regular session at 7:30 PM on the above date in the Library/City Hall Conference Center, was called to order by Mayor Frank Mecham.

**PLEDGE OF ALLEGIANCE**

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

**INVOCATION**

**PUBLIC COMMENTS**

- Dale Gustin thanked Councilmember Heggarty for his attendance at the annual senior picnic *Senior Fiesta* held at Centennial Park on Saturday, May 12<sup>th</sup>. He also brought attention to the short traffic signal on River Road at Niblick.
- Fred Rogers questioned whether the City, with regard to grading issues, would revoke existing entitlements that have already been granted on current developments. According to Community Development Director Bob Lata, he does not know of any way the City could go back on an entitlement that has previously been granted.

*It was moved by Councilmember Heggarty, seconded by Councilmember Finigan, and passed unanimously by voice vote to place Agenda Item No. 21 before Item No. 1.*

**21. Playground Equipment Project**

B. Partridge, Library & Recreation Services Director

Consider entering into an agreement with non-profit foundation REC, Inc. to match funds to acquire new playground apparatus for Sherwood Park.

Mayor Mecham opened the public hearing. Speaking from the public were Steve Gregory (President of REC, Inc.) and Kate Davis (supporting wetlands and community parks). There being no further comments either written or oral, the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to accept the REC, Inc. proposal to match funds raised in the fundraising Duck Derby activity to purchase a new playground apparatus for Sherwood Park. Motion passed by the following unanimous roll call vote:

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

**PRESENTATIONS - None**

**NOTICED HEARINGS**

**1. Appeal of Planned Development 00-009 (Nunno)**

R. Lata, Community Development Director

Conduct a public hearing, consider any public testimony from individuals that may not be able to attend the June 5, 2001, City Council meeting, and continue action until the regular meeting of June 5, 2001. An appeal of the Planning Commission's approval for constructing approximately 75,000 square feet of aircraft storage hangars on a partially developed 13-acre site at the Municipal Airport. The property is located on the north side of Dry Creek Road, west of Cloud Way and east of Airport Road. The appeal is focused upon certain development conditions, including a road frontage landscape screening wall and improvements of Dry Creek Road frontage.

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

Councilmember Nemeth, seconded by Councilmember Finigan, moved to continue the open public hearing to June 5, 2001. Motion passed by unanimous voice vote.

**2. Zone Change 2001-003 (Durand - Annexation #81)**

R. Lata, Community Development Director

Conduct a public hearing and consider the recommendation of the Planning Commission regarding a C-2-PD pre-zone of property proposed for annexation to the City of Paso Robles. The property is inside the Urban Reserve Line of the City of Paso Robles and outside of the Sphere of Influence. The property is approximately 16 acres located in the County unincorporated area south of, and contiguous to, the City, on the west side of Theater Drive, south of Boatman Furniture. Fourteen acres of the property is currently zoned Commercial Retail (CR) and two acres are zoned Office & Professional (O/P) in the County of San Luis Obispo.

Mayor Mecham opened the public hearing. Speaking from the public were Barbara Durand (applicant), Pat Mackie, Dale Gustin and Kathy Barnett. There being no further comments either written or oral, the public hearing was closed.

Councilmember Finigan, seconded by Councilmember Heggarty, moved to adopt Resolution No. 01-93 approving a Negative Declaration of environmental impact in conjunction with the proposed pre-zone and annexation process. Motion passed by the following roll call vote:

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

Councilmember Finigan, seconded by Councilmember Heggarty, moved to introduce for 1st reading Ordinance No. XXX N.S. establishing C-2-PD pre-zone for the subject property, setting June 5, 2001, as the date for second reading of the ordinance. Motion passed by the following roll call vote:

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

**3. Zone Change 2001-004 (Roth - Annexation #82)**

R. Lata, Community Development Director

Conduct a public hearing and consider the recommendation of the Planning Commission regarding a Residential Suburban pre-zone of property proposed for annexation to the City of Paso Robles. The property, located at 123 21<sup>st</sup> Street, is approximately 6 acres located in the County unincorporated area west of the City. The closest City limits are located on the north side of 21<sup>st</sup> Street. The property is currently zoned Residential Suburban in the County and is in the City's Sphere of Influence.

Mayor Mecham opened the public hearing. Speaking from the public was Pat Mackie. There being no further comments either written or oral, the public hearing was closed.

Councilmember Nemeth, seconded by Mayor Mecham, moved to adopt Resolution No. 01-94 approving a Negative Declaration of environmental impact in conjunction with the proposed pre-zone and annexation process. Motion passed by the following unanimous roll call vote:

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

Councilmember Nemeth, seconded by Councilmember Finigan, moved to introduce for 1<sup>st</sup> reading Ordinance No. XXX N.S. establishing a Residential Suburban (RS) pre-zone for the subject property, setting June 5, 2001, as the date for second reading of the ordinance. Motion passed by the following unanimous roll call vote:

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

**4. Code Amendment 01-003 (Victor Gheza)**

R. Lata, Community Development Director

Consider an application filed by Mel McColloch on behalf of Victor Gheza for a Code Amendment that would allow Mini-Storage facilities in C2 Zones with a Conditional Use Permit (CUP) and consider modification to related development standards for mini-storage.

Mayor Mecham opened the public hearing. Speaking from the public were Barbara Durand, Mel McColloch (applicant), Pat Mackie and Dutch Sawyer. There being no further comments either written or oral, the public hearing was closed.

Councilmember Heggarty moved to table this item to a future meeting. Motion was withdrawn.

Councilmember Picanco, seconded by Councilmember Finigan, moved to adopt Resolution 01-95, with revised independent judgment provision language as recommended by the City Attorney, approving a Negative Declaration for Code Amendment application. Motion passed by the following unanimous roll call vote:

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

Councilmember Picanco, seconded by Councilmember Nemeth, moved to introduce for First Reading Ordinance XXX N.S., as amended by staff, that would amend the City's Zoning Code with regards to the City's Highway Commercial (C2) zone to expand the list of conditionally permitted uses to allow mini-storage facilities and modify the Land Use Matrix accordingly, and set June 5, 2001 as the date for adoption of said Ordinance. Motion passed by the following unanimous roll call vote:

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

Councilmembers unanimously agreed that there was interest in bringing before Council at a future date the issue of C2 zoning along arterial roadways and entrances to the City.

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

**ROLL CALL** Agencymembers Jim Heggarty, Gary Nemeth, Frank Mecham, Duane Picanco and Chairman George Finigan

**5. Use of Redevelopment Low and Moderate Income Housing Funds for Matching Funds for First-Time Homebuyer Assistance**

R. Lata, Community Development Director

Appropriate \$25,000 in Redevelopment Low and Moderate Income Housing (LMIH) Funds as a match for \$100,000 in Year 2000 Federal HOME Funds for a First-Time Homebuyer’s loan program for low-income residents of Paso Robles.

Chairman Finigan opened the public hearing. There being no comments either written or oral, the public discussion was closed.

Agencymember Mecham, seconded by Agencymember Picanco, moved to adopt Resolution No. RA 01-05 to appropriate \$25,000 in Low and Moderate Income Housing Funds as a match for \$100,000 in Federal HOME funds for First-Time Homebuyers Assistance Loans. Motion passed by the following unanimous roll call vote:

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

**6. Use of Redevelopment Low and Moderate Income Housing Funds to Support CalHome First-Time Homebuyers’ Loans**

R. Lata, Community Development Director

Consider appropriating up to \$13,000 in Redevelopment Low and Moderate Income Housing (LMIH) Funds to be used to supplement CalHome funds for loan administration fees for first-time homebuyers’ deferred-payment second mortgage loans.

Chairman Finigan opened the public hearing. Speaking from the public was Fred Rogers. There being no further comments either written or oral, the public discussion was closed.

Agencymember Nemeth, seconded by Agencymember Heggarty, moved to adopt Resolution No. RA 01-06 to appropriate \$13,000 in LMIH funds to be used as grants to individual households that qualify for and obtain CalHome loans, for the purpose of offsetting a portion of loan administration costs. Motion passed by the following unanimous roll call vote:

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

Agencymember Nemeth, seconded by Agencymember Heggarty, moved to confirm condition stated in resolution RA 01-06, which requires applicants for CalHome Loans to pay a non-refundable loan application fee of \$50 per loan, which shall be applied to the loan administration costs. Motion passed by the following unanimous roll call vote:

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

## ADJOURN TO CITY COUNCIL MEETING

### CONSENT CALENDAR

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to approve the Consent Calendar together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, and acknowledging a change in the monthly contract amount of Item No. 13 as stated by staff.

Those items unanimously approved were as follows:

7. Approve City Council Minutes of April 17, May 1 and May 3, 2001.  
D. Fansler, City Clerk
8. Receive and file the Pioneer Museum Committee meeting minutes of April 12, 2001
9. Approve Warrant Register.  
M. Compton, Administrative Services Director
10. Adopt Ordinance No. 808 N.S. by regular motion, ordering that the Ordinance be read by title only, then by separate motion adopting the Ordinance amending Title 5, Chapter 5.45 (Alarm Systems) of the Municipal Code, assigning discretionary power to reduce or waive alarm permit fees. (Introduced at City Council meeting held on May 1, 2001.)  
D. Cassidy, Chief of Police
11. Adopt Resolution No. 01-96 approving the three-year contract with DMG Maximus for SB 90 mandated cost claiming services and authorize the Director of Administrative Services to execute said contract.  
M. Compton, Administrative Services Director
12. Adopt Resolution No. 01-97 accepting the Offer of Dedication for an access and drainage easement east of Ramada Drive adjacent to the railroad to maintain on behalf of the public the storm drainpipe installed by Paris Precision.  
J. Deakin, Public Works Director
13. Adopt Resolution No. 01-98 awarding the maintenance contract (lump sum total of \$18,136 per month and an hourly rate of \$28/hour) for the Landscape and Lighting District to the low bidder, Martinelli Landscape Construction of Templeton.  
J. Deakin, Public Works Director  
  
Staff indicated a change in the contract amount from \$20,647 to \$18, 136.
14. Authorize the City Manager to enter a Consultant Services Agreement with Cannon Associates for a not-to-exceed fee of \$16,000 to perform the first phase of a two-phase design Feasibility/Alignment Study for a parallel 16-inch waterline from the Thunderbird Wells to Charolais Road in accordance with the submitted Scope of Work.  
J. Deakin, Public Works Director
15. Adopt Resolution of Intention No. 01-99 to approve an amendment to the contract between the Board of Administration California Public Employees' Retirement system and the City Council of the City of Paso Robles; and give first reading of Ordinance No. XXX N.S. approving amendment to the contract between the Board of Administration California Public Employees' Retirement System and the City of Paso Robles; and set June 5, 2001, as the date for the second reading and adoption.  
D. Fansler, Management Analyst

16. Adopt Resolution No. 01-101 authorizing the Mayor to sign the Contribution Agreement and Addendum to the Joint Use Agreement between the City and the Paso Robles Joint Unified School District; and approve appropriating \$200,000 from the Park Development Fund towards the construction of a parking lot and restroom facilities at the Kermit King Elementary School. (On October 3, 2000, City Council approved and authorized this contribution.)  
J. Deakin, Public Works Director

## PUBLIC DISCUSSION

17. **Re-stripe 24<sup>th</sup> Street – Riverside to Highway 101**

J. Deakin, Public Works Director

Reevaluate Council's earlier decision to re-stripe 24<sup>th</sup> Street to four lanes from Riverside to Highway 101.

Mayor Mecham opened the public hearing. Speaking from the public were Pat Mackie, Angela Coppoletti, Ken Johnson, Matt Masia, Larry Riggs, Michael Suddick, Conrad Martin, Joyce Brake and David Hanush. There being no further comments either written or oral, the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Finigan, moved to (1) re-stripe 24<sup>th</sup> Street to four lanes from Santa Ysabel to Highway 101, (2) increase the sight distance by red-curbing business access curb cuts along 24<sup>th</sup> Street (red-curbing will be done for a distance of 20' to the left and 10' to the right – as viewed during egress), (3) keep 2-way left turn lane in center of street, (4) post no tractor/trailer parking signs and (5) keep 30 mph speed limit. Motion passed by the following unanimous roll call vote

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

*Council adjourned for a 15-minute recess at 9:30 PM.*

18. **Re-stripe Niblick Road – Quarterhorse to Creston**

J. Deakin, Public Works Director

Consider accepting the recommendation from the Streets and Utilities Committee to re-stripe Niblick Road.

Mayor Mecham opened the public hearing. Speaking from the public were John Almaguer, Ashley Lightfoot (Paso Robles Public Schools), Dale Gustin, Angela Coppoletti, Fred Rogers, Kathy Barnett, Pat Mackie, Greg Pacheco and Mike Menath. There being no further comments either written or oral, the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Picanco, moved to accept the recommendation by the Streets and Utilities Committee and re-stripe Niblick Road between South River Road and Creston Road as follows:

1. No parking on both sides
2. Five-foot bike lanes on both sides
3. A 10-foot center lane for left turns
4. Four 11-foot lanes of thru traffic; lane widths reduced to 10 feet at reduced widths noted in staff report

and between Melody Drive and Creston Road as follows:

1. Eight-foot parking one side. This would provide on-street parking for residences on either the north or south side of Niblick Road, but not both.
2. Six-foot bike lanes on both sides
3. Four 11-foot lanes of traffic, including thru and left-turn traffic. There would be no separate left-turn lane.

Councilmember Picanco withdrew his second and motion failed.

Councilmember Picanco, seconded by Councilmember Finigan, moved to accept the recommendation by the Streets and Utilities Committee and re-stripe Niblick Road between South River Road and Creston Road as follows:

1. No parking on both sides
2. Five-foot bike lanes on both sides
3. A 10-foot center lane for left turns
4. Four 11-foot lanes of thru traffic; lane widths reduced to 10 feet at reduced widths noted in staff report

and between Melody Drive and Creston Road as follows:

1. Eight-foot parking both sides
2. Six-foot bike lanes on both sides
3. A 12-foot center lane for left turn.
4. Two 12-foot lanes of thru traffic

Motion passed by the following roll call vote:

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

**19. Woodruff General Plan Amendment**

R. Lata, Community Development Director

Consider options with regards to the application for a General Plan Amendment filed by Woody Woodruff. Subject property is approximately 160 acres, located on the east side of Golden Hill Road, north of Highway 46 East, in close proximity to the Paso Robles Municipal Airport. The current General Plan designation is Agriculture (AG). The applicant is seeking entitlements for approximately 54 residential dwelling units.



Mayor Mecham opened the public hearing. Speaking from the public was Woody Woodruff, Mike Menath, Richard Morton (Chairman of the Airport Advisory Committee), Chuck Miller, Conrad Martin, Betty Miller, John Lindley, Mac Gleim and Dale Gustin. There being no further comments either written or oral, the public discussion was closed.

*Councilmember Finigan stated that he had an ex parte meeting with the applicant, Woody Woodruff.*

*Councilmember Heggarty stated that he also had an ex parte meeting with the applicant earlier in the week.*

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to adopt Resolution No. 01-100 reflecting Council's consensus to not support the requested General Plan Amendment. Motion passed by the following unanimous roll call vote:

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

**20. Request for Issuance of Certificate of Occupancy in Advance of Acceptance of Public Improvements**

R. Lata, Community Development Director

Consider a request from Lonny Young to allow issuance of a Certificate of Occupancy in advance of acceptance of public improvements for Tract 2884 (a 15-lot residential subdivision). Property is located west of Prospect Avenue and north of Union Road. Parkway and retention basin landscaping has not yet been installed.

Mayor Mecham opened the public hearing. Speaking from the public were Lonny Young (applicant), Pattie Harris (developer), Gordon Marshall and Dale Gustin. . There being no further comments either written or oral, the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to adopt Resolution No. 01-102 to deny the request of Lonny Young to receive Certificate of Occupancy for Lot 2 of Tract 2284 in advance of the City's acceptance of public improvements for said subdivision. Motion passed by the following unanimous roll call vote:

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

**22. Transit Advisory Committee Appointments**

M. Compton, Administrative Services Director

Consider appointments to the Transit Advisory Committee (TAC).

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

Councilmember Picanco, seconded by Councilmember Nemeth, moved to set a date for interviewing the applicants for appointments to the Transit Advisory Committee. Motion passed by unanimous voice vote.

**23. Modular Office/Residence for Fire Station 2**

D. Hamp, Chief of Emergency Services

Consider a fiscal year 2000-01 budget allocation of \$3,300 for acquisition and installation of a modular office/residence for firefighters/paramedics at Fire Station 2.

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

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to adopt Resolution No. 01-103 approving the appropriation of funds in the amount of \$3,300 for acquisition and installation of a modular office/residence for firefighter paramedics at Fire Station 2. 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**

**24. Appointment of Council Ad Hoc Committee – Selection of Consultant for AB1600 Development Impact Fee Study**

M. Compton, Administrative Services Director

Appoint an ad hoc committee to assist in the selection of a development impact fee consultant and report back to City Council by July 3, 2001.

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

It was the consensus of the Council to appoint an ad hoc committee consisting of Mayor Mecham and Councilmember Heggarty to assist in the selection of a qualified firm and report back to City Council before July 3, 2001.

**25. Increase in League of California Cities Dues 2001-02**

Consider approval of increase in League dues needed to pay for creation of the Grassroots Network program.

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

Councilmember Heggarty informed Council of last minute notice received from the League of California Cities that they will not be considering a dues increase at this time. Council unanimously agreed to pull this item from the agenda.

Councilmember Finigan noted a correction to Item No. 18 of the May 1, 2001, Council minutes: motion concerning Discussion Paper No. 1 was made by *Councilmember* Finigan.

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

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

*The City Council thereupon adjourned to Closed Session in the 2<sup>nd</sup> floor Large Conference Room at 11:57 PM.*

**CLOSED SESSION**

*The City Council returned to Regular Session at 11:45 PM.*

**RETURN TO OPEN SESSION**

**CLOSED SESSION REPORT**

Deputy City Attorney Jon Seitz announced no reportable action was taken on any of the items under discussion.

*By unanimous voice vote, Council moved to adjourn from regular session at 11:50 PM.*

**ADJOURNMENT:** to THE PUBLIC WORKS TOUR OF MUNICIPAL AIRPORT TERMINAL ON WEDNESDAY, MAY 16, 2001, AT 2:30 PM, POINT OF ASSEMBLY AT CITY HALL SOUTH PARKING LOT, 1000 SPRING STREET; TO THE PUBLIC SAFETY CENTER GROUNDBREAKING ON FRIDAY, JUNE 1, 2001 AT 9:30 AM; AND TO THE REGULAR MEETING ON TUESDAY, JUNE 5, 2001, AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk  
Approved: June 5, 2001