

MINUTES OF THE ADJOURNED REGULAR MEETING PASO ROBLES CITY COUNCIL

Tuesday, February 5, 2002 7:30 PM

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

INVOCATION

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

PUBLIC COMMENTS - None

AGENDA ITEMS TO BE DEFERRED (IF ANY)

The Director of Community Development recommended that Item Nos. 1, 2 and 4 be continued.

PRESENTATIONS - None

NOTICED HEARINGS

- 1. Code Amendment Regarding Revisions to Oak Tree Preservation Ordinance**
R. Lata, Community Development Director

Open and continue public hearing on a revision to the City's Oak Tree Preservation Ordinance. CONTINUED FROM JANUARY 15, 2002.

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 the Public Hearing to consider a revision to the City's Oak Tree Preservation Ordinance to the Council meeting of April 2, 2002. Motion passed by unanimous voice vote.

2. Ordinance Establishing Maximum Vehicle Weight Limits on Residential Streets

R. Lata, Community Development Director

Open and continue public hearing regarding an ordinance establishing maximum vehicle weight limits on residential streets. CONTINUED FROM DECEMBER 4, 2001.

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

Councilmember Heggarty, seconded by Councilmember Finigan, moved to continue the Public Hearing regarding an ordinance establishing maximum vehicle weight limits on residential streets to July 16, 2002. Motion passed by unanimous voice vote.

3. Adoption of Updated Bikeway Master Plan

J. Deakin, Public Works Director

Consider adopting a resolution to approve the Updated Bikeway Master Plan and adopt a Negative Declaration. CONTINUED FROM JANUARY 15, 2002.

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

Councilmember Nemeth, seconded by Councilmember Picanco, moved to adopt Resolution No. 02-14 adopting a Negative Declaration for the Bikeway Master Plan Update. 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 Picanco, moved to adopt Resolution No. 02-15 approving the updated Bikeway Master Plan with the revision of South Vine Bikeway from a Class 3 to a Class 2 designation. Motion passed by the following unanimous roll call vote:

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

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

DISCUSSION

4. Creekside Gardens Seniors Apartments – Second Implementation Agreement to Participation Agreement (Peoples’ Self-Help Housing Corp.)

R. Lata, Community Development Director

Consider a Second Implementation Agreement amending the Participation Agreement between the Redevelopment Agency and Peoples’ Self-Help Housing Corp. (PSHHC) for Creekside Gardens Senior Apartments. The proposed amendment would allow for all or a portion of the \$435,000 in Low and Moderate Income Housing (LMIH) Funds to be used for site acquisition and off-site improvements as well as for on- and off-site improvements.

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

Agencymember Picanco, seconded by Agencymember Heggarty, moved to continue this item to the Council meeting of February 19, 2002. 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

Mayor Mecham called for public comments on Consent Calendar items. Speaking from the public was Chuck Miller. There being no further comments either written or oral, the public discussion was closed.

Consent Calendar Item Nos. 5-19 were unanimously approved on a single motion by Councilmember Nemeth, seconded by Councilmember Finigan.

Those items approved were as follows:

- 5. Approve City Council minutes of January 3 and 15, 2002.
D. Fansler, City Clerk
- 6. Approve Warrant Register.
M. Compton, Administrative Services Director

7. Receive and file Advisory Body Committee minutes as follows:
Citizens Airport Advisory meetings of October 25, 2001 and December 13, 2001
Housing Authority Board meeting of January 8, 2002
Library Board of Trustees meeting of December 13, 2001
Parks and Recreation Advisory meeting of October 9, 2001
Pioneer Museum Board meeting of January 10, 2002
Transit Advisory meeting of November 7, 2001
Youth Commission meeting of December 5, 2001
8. Proclamation celebrating February 26, 2002 as *Spay Day USA* and February 2002 as *Spay/Neuter Month*
F. Mecham, Mayor
9. Proclamation proclaiming February 2002 as *Scout Anniversary Month*
F. Mecham, Mayor
10. Proclamation recognizing February 17-23, 2002 as *National Engineers Week*.
F. Mecham, Mayor
11. Adopt Resolution No. 02-16 approving the application for State grant funding for Airport Improvement Project No. 14, Airport Land Use Plan. (Council approved a contract in December 2000 to update the Airport Master Plan, assuming Federal Aviation Administration [FAA] and State Department of Transportation [Caltrans] funding. This application is for funds from Caltrans to match the recently approved FAA grant funding.)
J. Deakin, Public Works Director
12. Adopt Resolution No. 02-17 approving a budget appropriation from the Street Tree Fund in the amount of \$12,000 for purchasing 200 replacement street trees. (The fiscal year 2002/2003 budget includes a reforestation plan under which 200 diseased Modesto ash trees will be removed. The contract for tree removal was approved at the City Council meeting of December 18, 2001.)
J. Deakin, Public Works Director
13. Adopt Resolution No. 02-18 authorizing signatory authority for grants from the California Integrated Waste Management Board (CIWMB). (The City currently receives funding from the CIWMB for various Household Hazardous Waste and Used Oil Block Grants. The current signatory authority, the Director of Administrative Services, was designated during a period of absence of a Public Works Director. The Public Works Director manages all grants from the CIWMB.)
J. Deakin, Public Works Director
14. Adopt Resolution No. 02-19 authorizing applying for grant funding from Caltrans' Aid to Airports Program for Airport Taxiway 'D' Rehabilitation; and adopt Resolution No. 02-20 authorizing applying for grant funding from Caltrans' Aid to Airports Program for Airport Parking Area Rehabilitation/Slurry Seal. (The State Department of Transportation provides funding to the City for up to 90% of the total cost of eligible maintenance projects. The City has been successful in qualifying for two such grants for airport maintenance projects. A formal grant application must now be submitted.)
J. Deakin, Public Works Director

15. Adopt Resolution No. 02-21 authorizing usage of a septic system for a proposed development at 3461 Dry Creek Road, contingent upon the applicant agreeing to participate in the formation of a future assessment district to extend the sewer line to their property, and with the design of the septic system subject to the approval of the Regional Water Quality Control Board. (This planned development by applicant, Mike Nunno, is located south of and adjacent to the Paso Robles Municipal Airport. The nearest sewer is approximately one mile away. As development occurs along Dry Creek Road, the sanitary sewer line will be constructed. It is recommended that the applicant/property owner be required to enter into an agreement, binding on his successors, to participate in the formation of a future assessment district to construct the sewer when that occurs.)
R. Lata, Community Development Director
16. Adopt Resolution No. 02-22 establishing a practice of allowing for sharing of unused capacity for CDBG-funded public service activities among other participating jurisdictions in the "urban county" of San Luis Obispo. (Practice shall be subject to the condition that a determination that unused capacity exists shall not be made until the City Council has made its annual allocation of CDBG funds following a public hearing.)
R. Lata, Community Development Director
17. Adopt Resolution No. 02-23 accepting the public improvements of Tract 1771-3 into the City's maintenance system, and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$127,900. (This subdivision is located north of Charolais Road, approximately ¼ mile east of South River Road – Ennis Langdon Homes. Public improvements have all been completed, with exception of parkway irrigation system. Subdivider is aware that this system must be installed to the satisfaction of City staff prior to the Council meeting, and that maintenance issues must be addressed.)
R. Lata, Community Development Director
18. Based upon completion of construction of all required public improvements to the satisfaction of the City, adopt Resolution No. 02-24 to accept the public improvements of Tract 1632-8 (Phase 3C & D) into the City's maintenance system, and authorize release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$127,900.00. (This subdivision is located north of Meadowlark Road and west of Airport Road. The developer is J. M. Wilson. At the time staff report was prepared, the Subdivider was advised that if the maintenance, plans and documentation issues were not addressed prior to the Council meeting, this item be continued to a future meeting.)
R. Lata, Community Development Director
19. Adopt Resolution No. 02-25 in support of Proposition 42. (The League of California Cities supports Proposition 42 – Permanent Dedication of the Sales Tax on Fuel for Transportation Purposes – and requests all cities in California to join in support. On December 5, 2001, the San Luis Obispo Council of Governments adopted a resolution of support for Proposition 42 and requested all jurisdictions with San Luis Obispo County to voice support.)
J. Deakin, Public Works Director

ROLL CALL

PUBLIC DISCUSSION

20. Council Goals Progress Report

J. App, City Manager

Receive and file a Council goals progress report.

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

Councilmember Picanco, seconded by Councilmember Finigan, moved to receive and file Council goals progress report. Motion passed by unanimous voice vote.

21. Measure D Projects and Financing

J. App, City Manager

Consider a Measure D-98 progress report.

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

Councilmember Picanco, seconded by Councilmember Finigan, moved to receive and file Measure D Project Progress Report and adopt Resolution No. 02-29 modifying Measure D Bond Issuance Cost Allocation Accounting, and appropriating a \$30,000 SLOCOG grant for 4th Street underpass and \$30,000 from Measure D reserves for Barney Schwartz Park concession stand retrofit. Motion passed by the following unanimous roll call vote:

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

22. Mid-Year Budget Report – Fiscal Year 2002

M. Compton, Administrative Services Director

Presentation of the Mid-year Budget Report for fiscal year ending June 30, 2002.

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

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to receive and file the annual mid-year budget report for fiscal year ending June 30, 2002. Motion passed by unanimous voice vote.

At 8:50 PM the City Council took a break, reconvening at 9:05 PM.

23. Proposals to Prepare Chandler Ranch Area Specific Plan and Environmental Impact Report

R. Lata, Community Development Director

Consider authorizing execution of Contract Services Agreement with Cannon Associates, the firm recommended by the Council's ad hoc committee to prepare the Chandler Ranch Area Specific Plan and Environmental Impact Report (EIR). (In follow-up to process initiated by Council at September 4, 2001, Council meeting, a Request for Proposals [RFP] was distributed regarding preparation of a Chandler Ranch Area Specific Plan and EIR. Four proposals were received and reviewed by an ad hoc committee reflecting representation from the City Council, Planning Commission and City staff. The ad hoc committee recommended negotiation of a refined scope of work with Cannon Associates.)

Mayor Mecham opened the public hearing. Speaking from the public were Andrew Merriam (Cannon Associates), Dale Gustin, Michael Kane, Larry Werner (North Coast Engineering representing the Worth family), Larry Worth and Neil Olsen. There being no further comments, from the public, either written or oral, the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to proceed with selection of Cannon Associates to prepare the Chandler Ranch Area Specific Plan and EIR based on a program budget of \$423,000; pass Resolution No. 02-26 for the budgeted amount of \$423,000; and authorize the City Manager to execute a Contract Services Agreement with Cannon Associates based on substantial conformance with the attached Scope of Work and their proposal of not-to-exceed \$384,200. Motion passed by the following unanimous roll call vote:

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

24. Traffic Control on Mesa Road

J. Deakin, Public Works Director

Accept recommendation from the Streets and Utilities Committee to install stop signs on Mesa Road. (City received a petition from several residents in the Bella Vista Estates to address traffic safety on Mesa Road.)

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

Councilmember Heggarty, seconded by Councilmember Picanco, moved to adopt Resolution No. 02-28 to adopt the recommendation from the Streets and Utilities Committee to install stop signs at two intersections: Prospect at Mesa and Mesa at Arciero Court. Motion passed by the following unanimous roll call vote:

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

25. Traffic Calming on Bolen Drive

J. Deakin, Public Works Director

Consider installing temporary stop signs on Bolen Drive. (City received a petition signed by several residents along Bolen Drive requesting that speed humps be installed to reduce traffic speed. The request did not satisfy all four criteria of the Speed Hump Policy. The Streets and Utilities Committee looked for alternative means to satisfy the residents' basic concerns for traffic calming and pedestrian safety and recommended installing temporary stop signs at two intersections.)

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

Councilmember Picanco, seconded by Councilmember Heggarty, moved to (1) adopt Resolution No. 02-27 to adopt the recommendation from the Streets and Utilities Committee to install temporary stop signs at two intersections: Bolen at Moss and Bolen at Rose; and direct the Streets and Utilities Committee to evaluate the effects of the two stop signs, and report back to Council on the long-term need for the sign placements. Motion passed by the following unanimous roll call vote:

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

26. Architectural Services Agreement for the Design of an Airport Terminal Restaurant Addition

D. Monn, City Building Official

Consider approving an Architectural Services Agreement with Garcia Architecture for design of a restaurant addition at the Paso Robles Airport Terminal.

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

Councilmember Heggarty, seconded by Councilmember Finigan, moved to negotiate an Architectural Services Agreement with Garcia Architecture for design of an Airport Terminal Restaurant addition. Motion passed by the following roll call vote:

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

27. Transit Operations Contract

M. Compton, Administrative Services Director

Consider options relative to the expiring transit operations contract. (The current transit operations contract with Laidlaw Transit Services expires June 30, 2002. Council has two options to consider—to distribute RFPs or negotiate a new contract with the current provider.)

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

Councilmember Nemeth, seconded by Councilmember Picanco, moved to direct staff to negotiate a new contract with Laidlaw Transit Services and authorize the Director of Administrative Services to engage the services of Moor & Associates to assist in negotiations should the need arise, and to return to Council if negotiations are not successful to consider moving forward with distributing an RFP. 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

28. Appointment of Ad Hoc Committee –Airport Real Estate Leases

J. Deakin, Public Works Director

Appoint an ad hoc committee to review and develop Airport real estate lease requests. (Current proposals for lease consideration include proposals from Chuck Wentworth, Mr. Culver, Lahargou Farming, Stuart Toomey, Harry Blythe and off-site improvements along Wing Way. The ad hoc committee would review these proposed lease requests, consider other real estate leases as they may develop, and give direction to staff to help develop these issues for full Council action.)

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

It was the general consensus of the Council to appoint an ad hoc committee consisting of Councilmembers Nemeth and Heggarty to evaluate Airport lease amendments and new lease proposals, and report periodically through August 31, 2002, to the full City Council.

COUNCIL COMMENTS

- Councilmember Heggarty would like Council to consider approving the placement of a BD-5J Micro Jet in the Airport Terminal lobby and asked that this be placed on the February 19th agenda for consideration. He also opined that the question of the mayor's term of office be put forward at the November 2002 election.

- Councilmember Nemeth asked that the Streets and Utilities Committee provide more detail in future regarding the recommendations from their committee brought before Council for approval. He also suggested that Council consider putting a question on the November 2002 ballot that the mayor's term of office to be changed from a 2-year term to a 4-year term.
- Councilmember Finigan queried staff about the streetlight at Pine and 12th Streets, which services the parking lot at that location. Staff was directed to determine whether this is a City light and whether maintaining the light is the City's responsibility.
- Councilmember Picanco asked if staff was aware of the possible changes to the Coast Starlight train schedule, pointing out that there can be an economic impact to the City if train service is discontinued. He suggested that Council be actively engaged in investigating this matter. Mayor Mecham said that he would bring up these concerns at the SLOCOG meeting tomorrow.

PUBLIC COMMENT ON CLOSED SESSION

There were no comments from the public.

Council moved to adjourn from regular session at 10:02 PM and re-adjourn to Closed Session. Motion passed by unanimous voice vote.

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

The City Council thereupon adjourned to Closed Session in the 2nd floor Large Conference Room at 10:05 PM.

CLOSED SESSION

The City Council returned to Regular Session at 11:30 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Iris Yang announced that there was no reportable action taken on the items under discussion.

By unanimous voice vote, Council moved to adjourn from regular session at 11:35 PM.

ADJOURNMENT: to THE ADJOURNED AIRPORT ADVISORY COMMITTEE INTERVIEWS & APPOINTMENTS ON WEDNESDAY, FEBRUARY 13, 2002, AT 6:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR MEETING ON TUESDAY, FEBRUARY 19, 2002, AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted by:

Sharilyn M. Ryan, Deputy City Clerk
Approved: March 5, 2002