

# MINUTES OF THE ADJOURNED REGULAR MEETING PASO ROBLES CITY COUNCIL

Tuesday, February 19, 2002 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**

**INVOCATION**

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

**PUBLIC COMMENTS**

- Mary Chambers wished to clarify that she was speaking as a private citizen when she spoke at the Council meeting of February 5<sup>th</sup>, not as a representative of Fix 46.
- Pearl Munak (Homeless Housing Project) provided statistics of monies spent and persons served by the Project in 2001.
- Kathy and Jeff Marcove spoke regarding an oak tree on their property at Vine and 9<sup>th</sup> Streets, which they trimmed without a permit. They shared background information leading up to the trimming, and asked for Council's consideration and understanding that there was no criminal intent in their actions.

- Gail Gresham (Big Brothers and Sisters of San Luis Obispo County) called on Council to reconsider the Community Development Block Grant funding apportionment.
- City Librarian Annie Robb thanked Council for their efforts at bringing increased attention to the issue of solid waste disposal in the City. Samples of recycling containers for paper, aluminum, glass and plastic were displayed.

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

**PRESENTATIONS - None**

**NOTICED HEARINGS**

**1. Street Name Change 02-001: Wild Mustard Lane to Oak Ridge Way (City-Initiated)**

R. Lata, Community Development Director

Consider a request for a street name change within Tract 2281-5 (Shadow Canyon). (The emergency Services Department has requested the road be renamed in an attempt to make the travel route to the neighborhood less confusing.)

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

Councilmember Picanco, seconded by Councilmember Heggarty, moved to adopt Resolution No. 02-30 approving Street Name Change 02-001 (Wild Mustard Lane to Oak Ridge Way). Motion passed by the following roll call vote:

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

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

**DISCUSSION**

**2. Creekside Gardens Seniors Apartments - Second Implementation Agreement to Participation Agreement (Peoples' Self-Help Housing Corp.)**

R. Lata, Community Development Director

Continue consideration of a Second Implementation Agreement amending the Participation Agreement between the Redevelopment Agency and Peoples' Self-Help Housing Corp. (PSHHC) for Creekside Gardens Senior Apartments to the Council meeting of March 5, 2002.

CONTINUED FROM FEBRUARY 5, 2002.

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

Agencymember Mecham, seconded by Agencymember Heggarty, moved to continue the open public hearing to March 5, 2002. Motion passed by the following roll call vote:

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

## ADJOURN TO CITY COUNCIL MEETING

### CONSENT CALENDAR

Mayor Mecham called for public comments on Consent Calendar items. There were no comments from the public, either written or oral, and the public discussion was closed.

Consent Calendar Items No. 3-11 were unanimously approved on a single motion by Councilmember Picanco, seconded by Councilmember Finigan, noting a correction to Agenda Item No. 10, page 8.

Those items approved were as follows:

3. Approve Warrant Register.  
M. Compton, Administrative Services Director
4. Receive and file Advisory Body Committee minutes as follows:  
Youth Commission meeting of January 9, 2002
5. Proclamation celebrating March 2002 as *Grand Jury Awareness Month*.  
F. Mecham, Mayor
6. Dissolve the ad hoc committee formed on October 2, 2001, to review proposals for preparing a Chandler Ranch Area Specific Plan and Environmental Impact Report. (The committee has completed its assignment and presented its report to Council on February 5, 2002.)  
R. Lata, Community Development Director
7. Approve request of West Coast Kustom Car Club to move the Labor Day weekend cruise and car show to September 13-15, 2002. (A date change has been requested due in part to competition for hotel rooms from other special events held in the City over the Labor Day weekend.)  
G. Perruzzi, Recreation Services Manager
8. Approve Library Board of Trustees terms as follows: Betsy Watson, June 30, 2002; Rebecca Scott and Rudyard Stone, June 30, 2003; and Barbara Dabul and Terry Ann Reid, June 30, 2004. (To bring the Trustees' terms into a rotation that is in compliance with the California Education Code, lots were drawn at the Library Board meeting of January 10, 2002, setting new term expiration dates.)  
A. Robb, City Librarian

9. Adopt Resolution No. 02-31 awarding the purchase of 10 sets of firefighter turnout coats and pants to low bidder Allstar Fire Equipment in the amount of \$11,666.66. (Bid specifications were provided to several vendors to provide an opportunity to submit a bid. These new sets of firefighter turnouts will replace old coats/pants that are eligible for replacement under the department's equipment replacement program.)

D. Hamp, Chief of Emergency Services

10. Adopt Resolution No. 02-32 accepting the Planning Commission's report that the acquisition of .09 acres of real property adjacent to sewer Lift Station No. 2 is not in conflict with the City's General Plan; approving a Negative Declaration for acquiring the subject property; and authorizing the City Manager to execute the Acquisition Agreement. (The property is needed by the City to provide sufficient space to upgrade and replace the pumps at Lift Station No. 2 located at Vendels Circle. Purchase cost of \$39,500 is allocated within the Templeton Interceptor Sewer Upgrades Budget.)

J. Deakin, Public Works Director

A correction was noted to page 8 of the Environmental Initial Study Checklist Form from the Planning Division: VI (e) should correctly have been shown as "no impact."

11. Adopt Resolution No. 02-33 authorizing submittal of the Funding Request Form to the California Integrated Waste Management Board; and authorizing the Director of Public Works to carry out the grant administration. (The CIWMB issued a notice of funding availability for the fiscal year 2002/2003 Used Oil Recycling Block Grant. Approval by City Council is required before the request for funding can be made.)

J. Deakin, Public Works Director

## PUBLIC DISCUSSION

12. **Easement Abandonment 01-005 - Tract 2352 (Bruce White)**

R. Lata, Community Development Director

Consider a request to abandon a 10-foot portion of a 25-foot landscape easement along the 24<sup>th</sup> Street frontage of Lot 1 of Tract 2352, in accordance with the procedural framework established in State law. (Tract 2352 is a 9-lot residential subdivision located off of 24<sup>th</sup> Street, just west of Vine Street. Applicant is requesting to reduce the existing 25-foot landscape easement to a 15-foot easement to correspond with the top of the slope. A 15-foot landscape easement would incorporate the slope area and meet the City's requirement to include the slope in the Landscape and Lighting District.)

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 Finigan, moved to adopt Resolution No. 02-34 approving the abandonment of 10 feet of the existing 25-foot landscape easement, which would retain a 15-foot landscape easement on the existing slope. Motion passed by the following roll call vote:

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

**13. Barney Schwartz Park Fee Structure**

B. Partridge, Library and Recreation Services Director

Approve a fee structure for the use of athletic facilities under the administration of the Department of Library and Recreation Services. (The City needs to establish a fee structure that will apply to youth and adult activities at City sports facilities. Staff met with all user groups and is putting two options before Council to be considered.)

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 Finigan, seconded by Mayor Mecham, moved to adopt Option No. 2, directing staff to include a minimum cost to be determined by staff for tournament play. Motion passed by the following roll call vote:

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

**14. Title 9 Code Amendment Adding Chapter 9.42 (Barney Schwartz Park Reservoir Restrictions)**

B. Partridge, Library and Recreation Services Director

Consider an ordinance adding Chapter 9.42 to the City’s Municipal Code, which would prohibit swimming and water sports at Barney Schwartz Park water reservoir. (In January 2002 Council directed staff to draft an ordinance that would prohibit swimming and other water sports at the reservoir and to post signs at the facility referencing the adopted ordinance.)

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 Picanco, seconded by Councilmember Heggarty, moved to introduce for first reading Ordinance No. xxx N.S. of the City of El Paso de Robles adding Chapter 9.42 to the City’s Municipal Code that would prohibit swimming and other water sports at Barney Schwartz Park, and set March 5, 2002, as the date for adoption of said ordinance; and directed staff to submit sign content for approval to Council. Motion passed by the following roll call vote:

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

**15. Airport Capital Improvement Plan**

J. Deakin, Public Works Director

Review and consider approving the Airport Capital Improvement Program (ACIP) project list for the year 2002. (The ACIP Project List is updated and submitted annually to the Federal Aviation Administration [FAA], providing the basis for grant funding. The Airport Advisory Committee have reviewed, modified and endorsed the project list.)

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 Finigan, moved to approve the project list for the Airport Capital Improvement Program, as presented, and direct staff to forward it to the FAA. Motion passed by the following roll call vote:

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

**16. Budget Appropriation - Wastewater Treatment Plant**

J. Deakin, Public Works Director

Consider appropriating funds from the sewer reserve fund to the Wastewater Operations Budget for required laboratory testing. (The California Regional Water Quality Board, acting under the California Toxics Rule, issued a condition to the City to sample wastewater discharge and upstream water conditions for 126 constituents three times in 2002. The laboratory fees for the three samplings are estimated at \$28,200.)

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 Finigan, moved to adopt Resolution No. 02-35 approving a budget appropriation for Wastewater Treatment Plant (WWTP) laboratory fees in the amount of \$28,200. Motion passed by the following roll call vote:

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

**17. Purchase of Fire Engines Authorized in the 2001/2002 Budget**

D. Hamp, Chief of Emergency Services

Consider authorizing the Chief of Emergency Services and Director of Administrative Services to enter into a purchase agreement for the purchase of two fire engines with Pierce Manufacturing, Inc. Authorization is requested in order to "piggy back" on a purchase order from the City of Flagstaff, Arizona, which is purchasing two like fire engines through a competitive bid process. (The new vehicles will serve the community's needs by creating uniformity in volunteer and career firefighter operations, standardizing vehicle maintenance

and streamlining repair programs, as well as substantially improve the reliability and performance of daily operations.)

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

Councilmember Heggarty, seconded by Councilmember Finigan, moved to adopt Resolution No. 02-36 authorizing the purchase of two fire pumper engines from Pierce Manufacturing, utilizing the bid prices submitted to the City of Flagstaff, AZ. Motion passed by the following roll call vote:

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

**18. Vehicle Replacement**

J. Deakin, Public Works Director

Consider awarding a bid for the annual vehicle and equipment replacement as represented in the City's fiscal year 2002 Equipment Replacement Program and adopted budget.

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 continue this item to the March 5, 2002, Council meeting. Motion passed by the following roll call vote:

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

**CITY MANAGER**

**19. Schedule Date for Applicant Interviews/Appointments – Parks & Recreation Advisory Committee**

J. App, City Manager

It was the consensus of Council to set Wednesday, March 13, 2002, at 7:00 PM as date for conducting interviews and making appointments for vacancies on the Parks and Recreation Advisory Committee.

**CORRESPONDENCE – None**

## ADVISORY BODY COMMUNICATION

### 20. **Appointment of Ad Hoc Committee - Art in Public Places**

Consider request from Brian Thorndyke, Chairman of the Parks & Recreation Advisory Committee, to appoint an ad hoc committee to study funding mechanisms for art in public places.

Mayor Mecham opened the public hearing. Speaking from the public was Robin Fairbairn and Cathy David (President/CEO Paso Robles Chamber of Commerce and Director on SLO County Arts Council). There were no further comments from the public, either written or oral, and the public discussion was closed.

It was the general consensus of the Council to appoint an ad hoc committee consisting of Councilmembers Heggarty and Nemeth to study funding mechanisms for art in public places, and report back to the full City Council by September 17, 2002.

*At 8:50 PM Council took a break, reconvening at 9:00 PM.*

## AD HOC COUNCIL BUSINESS

### 21. **City Council Meeting Schedule**

J. App, City Manager

Consider formalizing and intensifying Council meeting time management.

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

Councilmember Finigan, seconded by Councilmember Heggarty, moved to table this item. Motion passed by unanimous voice vote.

### 22. **Airport Terminal Decor**

J. Deakin, Public Works Director

Consider allowing a BD-5J Micro Jet to hang as a display in the lobby of the Airport Terminal. (A private donor is offering the City a BD-5J Micro Jet experimental aircraft for display in the new Terminal lobby.)

Mayor Mecham opened the public hearing. Speaking from the public were Chuck Miller and Cathy David (President/CEO Paso Robles Chamber of Commerce). 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 defer this item until the Art in Public Places ad hoc committee has had an opportunity to return to Council with recommendations for such display, and direct staff to permit the Airport Advisory Committee to provide its recommendations and any alternate suggestions. Motion passed by the following unanimous roll call vote:



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

**PUBLIC COMMENT ON CLOSED SESSION**

Public comments limited to Closed Session items only.

*Council moved to adjourn from regular session at 9:21 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 seven items listed on the agenda.

*The City Council thereupon adjourned to Closed Session in the 2<sup>nd</sup> floor Large Conference Room at 9:25 PM.*

**CLOSED SESSION**

*The City Council returned to Regular Session at 10:40 PM.*

**RETURN TO OPEN SESSION**

**CLOSED SESSION REPORT**

Deputy City Attorney Jon Seitz 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 10:45 PM.*

**ADJOURNMENT:** to THE REGULAR MEETING ON TUESDAY, MARCH 5, 2002, AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted by:

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