

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