

# CITY COUNCIL MINUTES

Tuesday, November 5, 2002 7:30 PM

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL  
CONFERENCE CENTER, 1000 SPRING STREET

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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 3<sup>rd</sup> and the Chandler Ranch Specific Plan Workshop (scheduled for November 14<sup>th</sup>) 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 4<sup>th</sup> and 6<sup>th</sup> 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 22<sup>nd</sup> 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 18<sup>th</sup> and 19<sup>th</sup> 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 10<sup>th</sup>, 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 15<sup>th</sup>, 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 7<sup>th</sup> 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 24<sup>th</sup>, 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 13<sup>th</sup> 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:

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