

CITY COUNCIL MINUTES
Tuesday, September 2, 2003 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 Councilmembers George Finigan, Jim Heggarty, Gary Nemeth, Duane Picanco and Mayor Frank Mecham.

Director of Administrative Services Mike Compton introduced a new addition to the Department of Administrative Services, Finance Manager Jennifer Sorensen.

PUBLIC COMMENTS

- Dale Gustin announced that *Pioneer Day* will be held on Saturday, October 11th. Anyone interested in participating was encouraged to attend committee meetings.
- Kathy Barnett requested Council to extend the deadline date for written comments for the General Plan Environment Impact Report and encouraged the holding of additional workshops to solicit public comment.

- Joel Shaffer expressed his concerns about the speed limit being raised to 45 mph on Creston Road and asked Council to reconsider its decision.
- Norma Shaffer echoed her husband's worries that the increased speed limit on Creston Road will adversely affect the safety of residents in that area.

Mayor Mecham read comments regarding improvements and expenditures in Paso Robles in the fiscal year 2002/03, emphasizing that this was done without exceeding the City budget and with over a \$7 million reserve at yearend.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

City Manager Jim App informed Council that Agenda Items No. 2 and 3 are being recommended for continuance.

PRESENTATIONS

1. **Recognition of Greg Welch** – In appreciation for voluntary service on the City Parks and Recreation Advisory Committee (F. Mecham, Mayor)

Mayor Mecham recognized Greg Welch for his 20+ years of voluntary service on the City's Parks and Recreation Advisory Committee. Director of Library & Recreation Services Barbara Partridge, assisted by Recreation Services Managers Charlotte Gorton and Gary Perruzzi, commended Greg for his valued contributions over the years and conveyed appreciation for his whole-hearted participation in furthering the growth and progress of our community.

PUBLIC HEARINGS

2. **Continue Hearing - Rezone 03-002: Zone Change for 935 Creston Road (Bernard)**

R. Lata, Community Development Director

Consider continuing the public hearing for Rezone 03-002 proposing a zone change of the approximate one-acre property located at 935 Creston Road to bring the zoning into conformity with its General Plan land use designation of RMF-L (Residential Multiple Family – Low, up to 8 units/acre). (Property is situated generally to the west of Orchard Drive. Applicant Nanci Bernard is seeking to change the present zoning of R1 [Single-family Residential] to R2 PD [Duplex/Triplex Planned Development].)

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 open public hearing to Council's next regular meeting on September 16, 2003.

Motion passed by the following unanimous roll call vote:

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

3. Continue Hearing – Specific Plan Amendment 03-004 (Borkey Area Specific Plan Fee Update for Sub-area “B”)

R. Lata, Community Development Director

Consider continuing a public hearing for Specific Plan Amendment 03-004 to update the Borkey Area Specific Plan Fee Update for Sub-area “B.”

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 open public hearing to Council’s next regular meeting on September 16, 2003.

Motion passed by the following unanimous roll call vote:

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

4. Determination of Historic or Architectural Significance of an Existing Garage at 1732 Spring Street for Demolition/Reconstruction Permit Applicant (Judith Summers)

R. Lata, Community Development Director

Consider a request from Judith Summers to demolish/reconstruct an existing garage at 1732 Spring Street using the same architectural style as the existing structure, while bringing the building into compliance with the Uniform Building Code. (The garage is situated on a site that is included on the 1981-1984 Historic Resources Survey, but the Survey does not address the garage.)

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

Councilmember Nemeth, seconded by Councilmember Picanco, moved to determine that the existing garage is not of historic or architectural significance and directed that the demolition permit application be processed.

Motion passed by the following unanimous 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. 5 - 10 were unanimously approved on a single motion by Councilmember Heggarty, seconded by Councilmember Finigan,

5. Approve City Council minutes of July 23, August 1 and August 19, 2003.
D. Fansler, City Clerk
6. Approve Warrant Registers: Nos. 42272 – 42396 (8/15/03) and 42397 – 42534 (8/22/03)
M. Compton, Administrative Services Director
7. Receive and file Advisory Body Committee minutes as follows:
Citizens Airport Advisory committee meeting of July 24, 2003
Housing Authority meeting of August 12, 2003
Library Board of Trustees meeting of July 10, 2003
8. Extend the relationship with County Real Estate for one year for all City properties. (Country Real Estate has been the City's official real estate broker since the first contract award in March 1999. It was extended in 2001 and 2002, and the current contract expired June 30, 2003. County Real Estate has requested that their relationship with the City be extended for an additional year.)
M. Compton, Administrative Services Director

Councilmember Heggarty brought attention to a typographical error in spelling of County Real Estate. Clerk announced that error had already been corrected on-line.
9. Adopt Resolution No. 03-167 approving an appropriation limit for the fiscal year 2003-04 operating and maintenance budget. (Article XIII B of the State Constitution requires state and local governments to annually adopt an appropriations limit. The limit may be adjusted annually by a factor comprised of the change in population combined with either the change in California per capita personal income or the change in the local assessment roll due to local non-residential construction.)
M. Compton, Administrative Services Director
10. Adopt Resolution No. 03-168 accepting the public improvements of Tract 2369-1, Lots 1 - 71, 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 \$445,529. (This subdivision is located on Kleck Road and Montebello Oaks Drive, north of Union Road. Public improvements, which the developer was required to install, have been constructed to the satisfaction of the City, with the exception of the seal coat of the street paving, which developer has requested be deferred and completed during the one-year maintenance period.) CONTINUED FROM AUGUST 19, 2003
R. Lata, Community Development Director

PUBLIC DISCUSSION

11. Sherwood Park Master Plan

J. Deakin, Public Works Director

Consider adopting the final master plan for Sherwood Park. (Community Design Group, a landscape architect/park planner, was hired in December 2002 to develop a Sherwood Park Master Plan and design replacement play equipment.)

Tim Maloney, President of Community Works Design Group, conducted a visual presentation of the Master Plan for Sherwood Park.

Mayor Mecham opened the public hearing. Speaking from the public were Dale Gustin, Joy Sprague and 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 Finigan, moved to adopt the final Master Plan for Sherwood Park as presented, with additional direction to ensure that the unfenced baseball field remains identified as *R. C. Bynum Field*.

Motion passed by the unanimous following roll call vote:

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

12. Nacimiento Water Project Draft EIR Comments

M. Williamson, Assistant to the City manager

Consider comments on the Nacimiento Water Project Draft Environmental Impact Report (EIR). (The comments are not indicative of the City's future decision regarding project participation, but focus on whether the EIR document adequately addresses the potential impacts of the project.)

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 Heggarty, seconded by Councilmember Finigan, moved to authorize the Mayor to execute the comment letter on the Draft EIR for the Nacimiento Water Project to the County of San Luis Obispo.

Motion passed by the unanimous following roll call vote:

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

13. North County Transportation Center Platform Tactile Tiles

J. Deakin, Public Works Director

Consider repair/replacement of damaged tactile tiles at the North County Transportation Center. (The damaged tiles are a public safety hazard. Council is requested to declare this an emergency [as allowed under current Public Contract Code] and authorize the letting of a contract to repair the tiles.) CONTINUED FROM AUGUST 19, 20030

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

Councilmember Nemeth, seconded by Councilmember Finigan, moved to adopt Resolution No. 03-169 approving a one-time budget appropriation of \$25,000 to Budget Account No. 206-140-5221-240 and declaring the work to be done without bid in accordance with public Contract Code Section 22050.

Motion passed by the following roll call vote:

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

CITY MANAGER - None

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION – None

AD HOC COUNCIL BUSINESS - None

COUNCIL COMMENTS - None

PUBLIC COMMENT ON CLOSED SESSION

Public comments limited to Closed Session items only.

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 9:03 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 12:25 AM on Wednesday, September 3, 2003.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Yang announced that Council received an update from the City's negotiator on the Closed Session items, and there was no reportable action.

By unanimous voice vote, Council moved to adjourn from regular session at 12:30 AM on Wednesday, September 3, 2003.

ADJOURNMENT: to THE LEAGUE OF CITIES ANNUAL CONFERENCE SEPTEMBER 7-10, 2003, AT THE SACRAMENTO CONVENTION CENTER, SACRAMENTO; AND TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, SEPTEMBER 16, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved: September 16, 2003