

CITY COUNCIL MINUTES

Tuesday, July 20, 2004 7:30 PM

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

7:30 PM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Center

PLEDGE OF ALLEGIANCE

Lead by Scout Kyle Alexander, Boy Scouts of America, Troop 101

INVOCATION

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

PUBLIC COMMENTS

- Doug Brooks commended Council, City Manager Jim App, and KPRL for their individual efforts in arranging last week's Nacimiento Informational Workshop.
- Tom Taylor thanked Council for their service to our community and their earnest efforts to make our City a better place.

AGENDA ITEMS TO BE DEFERRED

City Manager Jim App announced that action will only be taken on the Entitlement Contract portion of Item No. 11. Adjustment of water rates will be brought forward for action at the meeting of August 3rd. Likewise, Item No. 12 will be discussed tonight, but scheduled for further discussion and action at that same meeting of August 3rd.

It was the consensus of Council to move Item No. 2 ahead of Item No. 1.

PRESENTATIONS

2. Public Recognition – Posthumous Recognition of Richard Lee Avery

F. Mecham, Mayor

Richard Avery, an employee of the City for 42 years, was recognized with a *Proclamation for Honest & Faithful Service*. Mayor Mecham announced that a commemorative plaque will be placed at the North Airport City Well Site No. 24 in Dick's memory. Attending from the Avery family was wife Rena, brother Dale, son Danny, daughter Tammy, and three grandsons.

1. Water Conservation

Receive a briefing on water conservation.

M. Williamson, Interim Public Works Director

Meg Williamson gave a briefing on the City's water conservation program—needs and goals of the City and status of water conservation program efforts.

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

It was the consensus of the Council to receive and file the report.

Council adjourned for a 2-minute break to allow some members of the audience to withdraw from the conference room.

PUBLIC HEARINGS

3. Demolition 04-009 – Determination of Historic or Architectural Significance or Non-significance of Existing Unreinforced Masonry Building at 1213 Vine Street for Demolition/Reconstruction Permit Application (Henderson Family Trust)

R. Lata, Community Development Director

Continue the open public hearing to allow time for applicant to provide additional information. (Owner/applicant: Alice Henderson Rodriguez.) CONTINUED FROM JULY 6, 2004

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

Councilmember Nemeth, seconded by Councilmember Picanco, moved to continue the public hearing to the City Council meeting of August 17, 2004. 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 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 Nos. 4 - 10 were unanimously approved on a single motion by Councilmember Nemeth, seconded by Councilmember Finigan, with Councilmember Picanco abstaining on Warrant Register Items Nos. 048806, 048820, 048939 and 048948.

4. Approve Warrant Register: Nos. 48768 – 48859 (6/30/04) and 48860 – 49002 (7/9/04)
M. Compton, Administrative Services Director
5. Read, by title only, and adopt Ordinance No. 881 N.S. amending the Zoning Title of the Municipal Code approving a zoning map change for Rezone 04-001 (Olsen – Annexation No. 86). (The Olsen Ranch Annexation area includes approximately 241 acres, under three separate property owners. Properties are located in the County unincorporated area east of the City of Paso Robles, south of Linne Road, west of Hanson Road, and north of an extension of Meadowlark Road.) FIRST READING JULY 6, 2004
R. Lata, Community Development Director
6. Adopt Resolution No. 04-157 appropriating \$2,500 from the Senior Endowment Fund to purchase an automatic external defibrillator (AED) and attendant supplies for the Senior Center. (The Departments of Emergency Services and Library & Recreation Services have developed an AED program for locations at the Municipal Pool, Centennial Pool, City Hall/Library and the Senior Center. AEDs are being purchased with donated funds from PR Firefighters Association, PR Realtors Association, REC, Inc., and the Senior Advisory Committee.) B. Partridge, Library & Recreation Services Director
7. Adopt Resolution No. 04-158 awarding a construction contract to Newton Construction for \$58,114 to repair earthquake damages to the Centennial Park Administration Building. (In May 2004, Council authorized staff to re-advertise and reformat the bid package for this project to meet the requirements of FEMA/OES. Two bids were received at the bid opening on July 2nd, one for \$58,114 and one for \$67,589. The low bid submitted by Newton Construction was reviewed and found to be responsive.)
M. Williamson, Interim Public Works Director
8. Adopt Resolution No. 04-159 awarding a construction contract to Brinar Construction for \$36,569 to perform the City's Annual Sidewalk Replacement Project – DPW No. 04-09. (Six bids were received at the bid opening on July 8th, ranging from \$36,569 to \$74,553. The low bid submitted by Brinar Construction was reviewed and found to be responsive.)
M. Williamson, Interim Public Works Director
9. Adopt Resolution No. 04-160 allocating \$41,200 from facilities repair funds and awarding a contract to Newton Construction and Management for installation of two air conditioning units at the Public Safety Center (PSC). (On July 6th, Council authorized staff to secure bids for installing additional air conditioning at the PSC Computer/Communications room. Only one bid was received and staff found it to be responsive.)
M. Williamson, Interim Public Works Director
10. Adopt Resolution No. 04-161 awarding a construction contract for \$798,825 to Specialty Construction for the Thunderbird Waterline Project. (In June, Council rejected original bids for this project and directed staff to re-advertise. Ten bids were received at the bid opening on July 12th, ranging from \$798,825 to \$1,265,970. The low bid submitted by Specialty Construction was reviewed and found to be responsive.)
M. Williamson, Interim Public Works Director

DISCUSSION

11. Water Resource Development: Nacimiento Project Water Delivery Entitlement Contract

J. App, City Manager

Consider contracting for water from the Nacimiento Water Project. (Council recommitted to participation in this Project in 2004. To maintain financial commitments and avoid unnecessary delays, delivery entitlement contracts are needed at this time.)

Mayor Mecham opened the public hearing. Speaking from the public were Dale Gustin, Dan Del Campo, Jerry Bunin (Home Builders Association), Clark Rudy, Doug Brooks, Mike Weber, Dave Romero (Mayor of the City of San Luis Obispo), Thomas Hardwick, Michael Passegger, Matthew Thompson, Ken Weathers (Atascadero Mutual Water Company), Debbie Sullivan, and Paabo Ogren (Deputy Director, SLO Public Works). 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 (1) adopt an amended version of Resolution No. 04-162 approving the Nacimiento Project Water Delivery Entitlement Contract with the San Luis Obispo Flood Control District; (2) to appoint Mayor Mecham to the Nacimiento Water Project Commission; and (3) to bring forward discussion and action on the adjustment of water rates to the August 3rd Council meeting.

Motion passed by the following unanimous roll call vote:

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

Council adjourned for a 10-minute recess at 9:22 PM.

12. Sewer and Water Development Impact Fees

M. Compton, Administrative Services Director

Consider modifying sewer and water development impact fees. (Council adopted new sewer and water impact fees on December 18, 2001, and authorized review of fees every two years. Analysis of the City's water system indicates changes are needed to provide for the next five year's demands, including the Nacimiento Water Project, and Foresight Consulting was contracted with in November 2003 to update the City sewer and water impact fees.)

Mayor Mecham opened the public hearing. Speaking from the public was Jerry Bunin (Home Builders Association). There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Finigan, seconded by Councilmember Picanco, moved to continue this item to the meeting of August 3rd.

Motion passed by the following unanimous roll call vote:

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

13. Memorandum of Agreement Between County of San Luis Obispo and City of Paso Robles Regarding the City's Sphere of Influence

R. Lata, Community Development Director

Consider approving a Memorandum of Agreement (MOA) between the County of San Luis Obispo and the City. The MOA relates to the boundaries of the City's Sphere of Influence (SOI) as adopted in the December 2003 General Plan update. (The City is working with the Local Agency Formation Commission [LAFCO] on an update of the SOI. The proposed update is consistent with the recently adopted General Plan.)

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 authorize the Mayor and City Clerk to execute a Memorandum of Agreement regarding the City's Sphere of Influence in substantially the same form as the attached draft (Attachment A).

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

14. Advisory Body Appointment – Housing Authority

E. Gallagher, Housing Manager

Make appointment to the Housing Authority to fill one vacancy for member-at-large, regular term to fill the vacated term previously filled by David Rouff, expiring February 28, 2007.

- 3 applicants: Barbara Dabul, Edward Tascona and Michael Talen

Mayor Mecham made an announcement correcting a clerical error in the agenda, wherein the votes for Councilmembers Nemeth/Picanco and Finigan/Mecham were reversed. Council's corrected final votes were as follows:

Barbara L. Dabul 3 votes: Councilmembers Finigan, Heggarty, and Mecham
Michael R. Talen 0 votes
Edward J. Tascona 2 votes: Councilmember Nemeth and Picanco

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 appoint Barbara L. Dabul to fill a member-at-large, regular term expiring February 28, 2007.

Motion passed by the following unanimous roll call vote:

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

AD HOC COUNCIL BUSINESS

15. Ad Hoc Committee – Landfill Environmental Analysis

M. Williamson, Interim Public Works Director

Consider appointing an ad hoc committee to review proposals received for the preparation of environmental documents associated with modification to the Paso Robles Landfill operations.

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 appoint Councilmembers Nemeth and Heggarty to an ad hoc committee to review the environmental analysis proposals for modifications to the Paso Robles Landfill and report back to the full Council by December 7, 2004.

Motion passed by unanimous voice vote.

16. Ad Hoc Committee – Review Options for Vehicular Access To/From the East Village (Food 4 Less) Shopping Center

R. Lata, Community Development Director

Consider appointing an ad hoc committee to review options for vehicular access to and from the East Village (Food 4 Less) Shopping Center. (At the July 6, 2004, Council meeting there was consideration of a proposed amendment to the existing Planned Development for this property located on the northeast corner of Creston Road and Sherwood Road. The amendment is an application filed by Newlin Hastings on behalf of East Village Associates to modify the existing median to allow for southbound left turn access from Creston Road in and out of East Village Shopping Center.)

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 Picanco, moved to appoint Councilmembers Nemeth and Finigan to an ad hoc committee to work with staff to address issues relating to vehicular access to and from the subject shopping center, and report back to the full Council by October 19, 2004.

Motion passed by unanimous voice vote.

COUNCIL COMMENTS - None

By unanimous voice vote, Council moved to adjourn from regular session at 9:50 p.m.

ADJOURNMENT: to MID STATE FAIR MEDIA DAY, 10:00 AM, WEDNESDAY, JULY 21, 2004, MID STATE FAIR GROUNDS, 2198 RIVERSIDE AVENUE; TO THE RETURNING TROOPS BBQ & PARADE, 2:00 PM, SATURDAY, JULY 24, 2004, DOWNTOWN CITY PARK; TO THE LEAGUE OF CALIFORNIA CITIES MAYORS & COUNCILMEMBERS EXECUTIVE FORUM, MONDAY-WEDNESDAY, JULY 28-30, 2004, AT THE MONTEREY CONFERENCE CENTER IN MONTEREY, CALIFORNIA; ; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, AUGUST 3, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved: August 3, 2004