



CITY COUNCIL MINUTES

Tuesday, February 7, 2006 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

Led by Dylan Vargas, Boy Scouts of America Troop 264, Paso Robles

INVOCATION

Led by Pastor Dan Katches, Covenant Presbyterian Church, Paso Robles

ROLL CALL Councilmembers Jim Heggarty, Gary Nemeth, Duane Picanco, Fred Strong, and Frank Mecham

PUBLIC COMMENTS –

- Steve Serda and Field Gibson, separately, expressed concern that the Chandler Ranch review process has not adequately addressed need for recreational facilities and schools.

AGENDA ITEMS TO BE DEFERRED (IF ANY) - None

PRESENTATIONS– None

PUBLIC HEARINGS – 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.

1. Approve City Council minutes of January 17, 2006
D. Fansler, City Clerk
2. Approve Warrant Register: Nos. 59811-89913 (01/13/06), 59814-60034 (01/20/06), 60035-60140 (01/27/06; and Other Payroll Services
M. Compton, Administrative Services Director
3. Receive and file Advisory Body Committee minutes as follows:
Citizens Airport Advisory Committee of December 8, 2005
Library Board of Trustees meeting of December 8, 2005
Project Area Committee meeting of November 11, 2005
Senior Citizen Advisory Committee meeting of December 12, 2005
Youth Commission meeting of December 7, 2005
4. Proclamation designating February 2006 as *Grand Jury Awareness Month*.
F. Mecham, Mayor
5. Adopt Resolution 06-008 awarding a contract to Aqua Engineering for the diagnosis and repair of Avery Well #24. (In January 2006, Avery Well #24 failed during a routine start-up. After inspection of external components, staff determined further investigation is needed to make repairs, or replace equipment, if necessary.)
B. Hagemann, Water Resources Manager
6. Adopt Resolution 06-009 awarding a contract to Chrisp Company install a wireless in-roadway signal system (LED-lighted crosswalk) at the intersection of 34th and Spring Streets. (Council allocated 2004 and 2005 Community Development Block Grant ("CDBG") monies to install a signaling system at the intersection of 34th and Spring Streets. Three bids were received, and the lowest responsive and responsible bid was submitted by Chrisp Company.)
J. Falkenstien, Interim Community Development Director
7. Adopt Resolution 06-010 accepting the recordation of Parcel Map PR 05-0184. (Applicant: Aztec Holdings, LLC: This two-lot residential subdivision located at 2020 Oak Street was tentatively approved by the Planning Commission on August 9, 2005. All conditions imposed by the Planning Commission have been satisfied.)
J. Falkenstien, Interim Community Development Director.
8. Adopt Resolution 06-011 certifying and adding Parcel 2 of PR 05-0040 to Community Facilities District No. 2005-1 for Public Services; and adopt Resolution 06-012 accepting the recordation of Parcel Map PR 05-0040 (Applicant: Aztec Holdings, LLC. This 2-lot residential subdivision is located at 429 Vine Street. PR 05-0040 was tentatively approved by the Planning Commission on August 23, 2005. All conditions imposed by the Planning Commission have been satisfied. Additionally, annexation to the City's CFD No. 2005-1 is necessary to mitigate projected adverse fiscal impacts of new residential development.)
J. Falkenstien, Interim Community Development Director.
9. Adopt Resolution 06-013 accepting public improvements for Tract 2611-1 (Lots 1-39) into the City's maintenance system. (On September 6, 2005, City Council approved Tract 2611-1, located along Brahma Street, between Serenade Drive and Oxen Court, for recordation and executed a Subdivision Improvement Agreement with the developer, Centex. The improvements have been constructed to the satisfaction of City Staff.)
J. Falkenstien, Interim Community Development Director
10. Adopt Resolution 06-014 accepting public improvements for Tract 2457-4 (Lots 1-62 and Lots 206-210) into the City's maintenance system. (Applicant: Oak Knoll Ranch, LLC On December 7, 2004, City Council approved Tract 2457-4, located along Clubhouse Drive and River Oaks Drive, north of Highway 46 and west of Buena Vista Drive, for recordation and executed a Subdivision Improvement Agreement with the developer. The improvements have been constructed to the satisfaction of City Staff.)
J. Falkenstien, Interim Community Development Director

11. Adopt Resolution 06-015 accepting the recordation of Parcel Map PR 03-0403. (Applicant: White. This two-lot residential subdivision located on Casa Blanca Court, north of 24th Street was tentatively approved by the Planning Commission on March 9, 2004. All conditions imposed by the Planning Commission have been satisfied.)
J. Falkenstien, Interim Community Development Director
12. Adopt Resolution 06-016 amending the City's adopted Conflict of Interest Code. (The Conflict of Interest Code, Exhibit "A", is amended to add personnel classifications of Police Captain, Fire Battalion Chief/Administration, and Human Resources Manager, and to remove the classifications of Assistant Engineer and Civil Engineer.)
D. Fansler, City Clerk

Consent Calendar Items Nos. 1 - 12 were approved on a single motion by Councilmember Heggarty, seconded by Councilmember Nemeth, with Councilmember Picanco abstaining on Warrant Register Items Nos. 172245, 172272, 172273 and 172185 and Mayor Mecham abstaining on Warrant Register Item No. 172097

Motion passed by the following unanimous roll call vote:

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

DISCUSSION

13. **Ordinance Pertaining to Residency Restrictions for Certain Sex Offenders**
D. Cassidy, Chief of Police

Consider adopting an ordinance augmenting residence restrictions for certain convicted sex offenders. (Current State law restricts only those sex offenders currently on parole from residing within one-quarter mile of any public or private school attended by children in Kindergarten through Grade 8 during their period of parole. This ordinance would enhance the protection by establishing areas around locations where children regularly congregate wherein certain sexual offenders shall be prohibited from establishing temporary or permanent residence. It would also require property managers, landlords, and realtors to disclose the existence of the ordinance prior to the commencement of any sale, rental, or leasing transaction.) CONTINUED FROM JANUARY 3, 2006

Mayor Mecham opened the public hearing. Speaking from the public were Dale Gustin, Barbara Harris, Steven Stanley, Kathy Barnett, Lynn Miller, Cynthia Fisher, and Linda Evans. There were no further comments from the public, either written or oral, and the public discussion was closed. At the request of Councilmember Nemeth, Chief Cassidy outlined Section 290 of the California Penal Code and how it would relate to the proposed ordinance.

Councilmember Nemeth, seconded by Councilmember Strong, moved to introduce for first reading Ordinance No. XXX N.S. adding a new Chapter 9.46 to Title 9 of the Municipal Code of the City of El Paso de Robles pertaining to residency restrictions for certain sex offenders; and set February 21, 2006 as the date for adoption of said Ordinance.

Motion passed by unanimous roll call vote.

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

Council adjourned for a 15-minute recess at 8:15 PM. RECONVENED AT 8:30 PM.

14. Tower Road Wellhead and Pipeline Award

D. Monn, Public Works Director

In May 2004, Council awarded a construction contract to drill a test well at Tower Road. Council will consider reallocating a portion of the CIP Water Budget and award construction and soils engineering contracts to complete the Tower Road Well and Main Pipeline Project.

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 Strong, moved to adopt Resolution 06-017 authorizing:

- 1) Appropriation of an additional \$804,200 to Budget No. 220-910-5452-322 for the Tower Road Well Project;
- 2) De-appropriate \$499,300 from Well No. 10, and \$500,000 from Well No. 11;
- 3) Award of a construction contract to Raminha Construction in the amount of \$878,250 for the Tower Road Wellhead and Pipeline; and
- 4) Award a soils engineering service contract to Earth Systems Pacific in the amount of \$16,591.

Motion passed by unanimous roll call vote.

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

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION -

AD HOC COUNCIL BUSINESS

15. Ad Hoc Committee Formation – News Racks Ordinance Amendment

J. Falkenstien, Interim Community Development Director

(The City needs to update its news rack ordinance regarding the number and placement of freestanding news racks located in the public Right-of-Way. Consider forming an ad hoc committee to assist and guide staff in this effort.)

It was the consensus of Council to appoint Councilmembers Nemeth and Picanco to an ad hoc committee to work with staff to consider amendments to the news rack ordinance, and report back to the full Council by December 31, 2006.

COUNCIL COMMENTS – None

PUBLIC COMMENT ON CLOSED SESSION

Kathy Barnett inquired about the item concerning the City's existing water system infrastructure.

City Attorney Iris Yang announced Council's authority to go into closed session to discuss the items listed on the agenda.

It was the consensus of Council to adjourn from regular session at 8:38 PM.

The City Council thereupon adjourned to Closed Session in the 2nd floor Large Conference Room.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 10:58 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Iris Yang reported that no reportable action was taken.

By unanimous voice vote, Council moved to adjourn from regular session at 11:00 PM.

ADJOURNMENT: to

- | ADJOURNMENT | |
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| • | THE CALIFORNIA MID-STATE FAIR ANNUAL DINNER, FRIDAY, FEBRUARY 10, 2006, 6:30 PM AT THE SLO PAVILION – CALIFORNIA MID-STATE FAIRGROUNDS |
| • | CHANDLER RANCH WORKSHOP ON TRAFFIC AND RELATED TOPICS AT PLANNING COMMISSION AT 7:30 PM, MONDAY, FEBRUARY 13, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET |
| • | TO THE SAN LUIS OBISPO EDUCATION FORECAST, WEDNESDAY, FEBRUARY 15, 2006, 7:30 AM AT THE CARLTON HOTEL, 6005 EL CAMINO REAL, ATASCADERO |
| • | THE REGULAR MEETING AT 7:30 PM ON TUESDAY, FEBRUARY 21, 2006, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET |

Submitted:

Deborah D. Robinson, Interim Deputy City Clerk
Approved:

THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT PART OF THE RECORDS UNTIL APPROVED BY THE CITY COUNCIL AT A FUTURE REGULAR MEETING.