



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, April 18, 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

INVOCATION – Led by Pat Sheean

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

PUBLIC COMMENTS

- Kathy Barnett spoke regarding The Tribune article April 9, 2006, that mentioned the City's travel budget.

AGENDA ITEMS TO BE DEFERRED (IF ANY) - None

PRESENTATIONS

1. **Recognition – 2005 Bob Alesi Memorial Volunteer of the Year Award – Presented to Mary Schwartz and in memory of Dale Schwartz**
F. Mecham, Mayor

The Mayor, assisted by Annie Robb, Interim Director, Library and Recreation Services, recognized Mary Schwartz and posthumously Dale Schwartz, as recipients of the Bob Alesi Memorial Volunteer of the Year Award for 2005. The Schwartz's were recognized with their names being added to the commemorative plaque on permanent display in the City Library.

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.

2. Approve City Council Minutes of April 4, 2006
D. Fansler, City Clerk
3. Approve Warrant Register: Nos. 61455—61591 (03/31/06) and 61592—61721 (04/07/06)
M. Compton, Administrative Services Director
4. Receive and file Advisory Body Committee minutes as follows:
Parks & Recreation Advisory Committee meeting of March 14, 2006
Senior Citizen Advisory Committee meeting of March 13, 2006
Youth Commission meeting of March 1, 2006
5. Proclamation designating April 2006 as National Volunteer Month.
F. Mecham, Mayor
6. Proclamation designating April 2006 Month of the Child & Child Abuse Prevention Month.
F. Mecham, Mayor
7. Proclamation designating the week of April 9 - 15, 2006 as National Public Safety Telecommunicator's Week.
F. Mecham, Mayor
8. Read, by title only, and adopt Ordinance No. 918 N. S. amending Subsection B of Municipal Code §12.32.080 pertaining to angle parking in the City. FIRST READING APRIL 4, 2006
D. Cassidy, Chief of Police
9. Adopt Resolution 06-053 authorizing a credit for a water connection fee to Peoples' Self-Help Housing Corporation, owner of the Canyon Creek Apartments. (Due to a processing error on the original permit application of June 18, 2004 regarding a landscape irrigation meter, PSH is requesting a credit of \$24,442 in water connection fees. The property is located at 400 Oak Hill Road.)
R. Whisenand, Community Development Director
10. Amendment of Future Annexation of Territory into Community Facilities District No. 2005-1 (Public Services).
On March 7, 2006, the City held a public hearing as required by the "Mello-Roos Community Facilities Act of 1982", and adopted a Resolution of Intention to provide for the future annexation of City Annexations 86, 87, and 88, Olsen, Beechwood and Our Town to the CFD 2005-1. Adopt Resolution No. 06-054 providing for future annexation to CFD 2005-01 of Future Annexation Area 2.
R. Whisenand, Community Development Director

Consent Calendar Items Nos. 2 - 10 were approved on a single motion by Councilmember Heggarty, seconded by Councilmember Nemeth, with Councilmember Picanco abstaining on Warrant Register Items Nos. 061676 and 061709 and Mayor Mecham on Item Nos. 061483 and 061618.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

DISCUSSION

11. Process for Consideration of Development Agreements Related to the Chandler Ranch Area Specific Plan

B. Lata, Contract Planner

Consider the process for City consideration of Development Agreements with property owners within (a) specific plans in general, and (b) the Chandler Ranch Area Specific Plan in particular.
CONTINUED FROM FEBRUARY 21, 2006 AND MARCH 21, 2006

Five alternatives for linking Development Agreements to the Specific Plan process have been developed:

Options No. 1, 4 and 5 would seek some degree of commitment from property owners before the City would consider legislative approvals.

Option No. 3 would link Zoning and DAs on part or all of the properties in a Specific Plan.

Option No. 2 makes DAs voluntary (except for public financing) and is the option generally favored by property owners.

Mayor Mecham opened the public hearing. Speaking from the public were Greg Haas, John Wallace (representing the Worth family), Urban McClellan (Centex Homes), Christy Gabler North Coast Engineering (representing owners in the Beechwood area), Jeff Wagner EDA Design Specialists (Olsen family), Neil Olsen, Steve Meixner, Joseph Kuntze, Kathy Barnett, and Dale Gustin. There were no further comments from the public, either written or oral, and the public discussion was closed.

Mayor Mecham stated he had an *ex parte* discussion with Neil Olsen. Councilmember Nemeth, seconded by Councilmember Strong, moved to continue the item to further study and discuss policy concerning development agreements.

Motion passed by the following unanimous voice vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

12. Chandler Ranch Area Specific Plan - Specific Plan Design Considerations

B. Lata, Contract Planner

Consider authorizing City Staff to contract with a qualified design professional to assist with preparation of Design Standards for development of Chandler Ranch Area Specific Plan (CRASP) and design standards for all City gateways.

Mayor Mecham opened the public hearing. Speaking from the public was John Wallace (representing the Worth Family). 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:

- (1) Confirm that it is the City Council's intent to have a single, cohesive design illustration for the entire CRASP; and
- (2) Confirm that it is the Council's intent to have design parameters for the CRASP adopted by Ordinance instead of advisory guidelines (with the recognition that there may be a mix of firm standards and advisory provisions within the adopted document) and
- (3) Authorize staff to obtain a proposal from a qualified design professional to prepare the following five point scope of work; the budget, which would be reimbursed from property owners, including but not limited to CRASP property owners, through Specific Plan fees; and would be presented for subsequent Council approval:
 - o compile and supplement subarea design parameters;
 - o convert "guidelines" to "standards" to be adopted by Ordinance;
 - o prepare form-based Gateway design and land use standards;
 - o combine design parameters from subareas to a single illustration; and
 - o prepare form-based minimum design and land use standards for other community gateways including all highway frontages, exits, and other major highways.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
 NOES:
 ABSTAIN:

Council adjourned for a 10-minute recess at 8:55 p.m. and reconvened at 9:05 p.m. with the Mayor and all City Councilmembers present.

13. Cooperative Agreement with Caltrans – Highway 101/46 East Operational Improvements

D. Monn, Public Works Director

Consider entering into a Cooperative Agreement with the State of California Department of Transportation (Caltrans) for operational improvements at Highway 101/46 East. Under this agreement, the City will perform all work and the State will reimburse the City a maximum of \$360,000 to prepare the necessary project specifications and estimates.

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

Councilmember Strong, seconded by Councilmember Heggarty, moved to adopt Resolution No. 06-055 authorizing the Mayor to enter into a Cooperative Agreement with Caltrans for operational improvements at Highway 101/46 East.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
 NOES:

ABSTAIN:
ABSENT:

14. Award Contract to Prepare Project Approvals and Environmental Documents ("PA&ED") and Plans Specifications and Estimates ("PS&E") for Highway 101/46 East Operational and Related Improvements

D. Monn, Public Works Director

Consider awarding the contract to prepare the PA&ED PS&E for operational improvements at Highway 101/46 East, based on the 2004 Project Study Report prepared by URS Corporation and approved by Caltrans.

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. 06-056:

(1) approving a CIP budget adjustment to accelerate programmed funding from fiscal year 2008 to fiscal year 2006 and authorize a transfer from the Traffic Mitigation Impact Fee Fund to the Gas Tax Fund in the amount of \$326,800; and

(2) awarding a contract to URS Corporation in the amount of \$898,408 to prepare the PA&ED and PS&E for Highway 101/46 East operational and related improvements, and authorizing the City Manager to execute the contract

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

15. Theatre Drive Transmission Main-Pressure Reducing Station - Budget Supplement & Award Contract to Arthurs Contracting, Inc.

D. Monn, Public Works Director

The adopted CIP budget for fiscal year 2005 provided a budget appropriation for fire flow improvements in the southwest section of the City, and did not anticipate the cost of construction estimated at \$2,355,600. Consider a supplement to the 2005 CIP budget to complete the project through alternate funding sources. In addition, a bid protest filed by Specialty Construction was evaluated for merit. Staff recommends that the City Council reject Specialty's bid protest and award the contract to Arthurs Contracting, Inc.

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

Councilmember Strong, seconded by Councilmember Nemeth, moved to adopt Resolution No. 6-057:

- (1) Reallocate savings from the Thunderbird/Charolais water line of \$1,036,000; and
- (2) Transfer from the Water Department Impact Fee Fund \$662,600; and
- (3) Reject the bid protest filed by Specialty Construction, Inc, and

- (4) Award the construction contract to Arthurs Contracting, Inc. in the amount of \$1,915,561 and authorize the City Manager to enter into the contract.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

16. Children's Museum – Completion of Lease Option Conditions

M. Williamson, Assistant to the City Manager

Consider confirming the Museum's completion of Lease Option conditions, thereby activating the Lease transfer process for the old Fire Station No. 1 on 13th Street. The Council's confirmation of the completion of these conditions will allow the lease transfer to move forward and the Museum to begin their renovation work.

Mayor Mecham opened the public hearing. Speaking from the public was Rick Minton, a member of the Board of Directors of the Children's Museum. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Strong, moved to adopt Resolution No. 06-058 confirming completion of Lease Option conditions and approving a 180-day Lease Option extension for completion of the close of the lease escrow.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

17. Children's Museum – Mack Fire Truck Loan Agreement

M. Williamson, Assistant to the City Manager

Consider entering into an agreement with the Children's Museum to loan a 1944 Model Mack Fire Truck to the Children's Museum, to incorporate the historic vehicle as a static, integral part of an interactive educational exhibit at the Museum. The structure of the Loan Agreement will preserve the opportunity to use the truck in special community events. The City will retain service and maintenance responsibilities.

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 No. 06-059 authorizing the City Manager to execute a Loan Agreement with the "Children's Museum at the Paso Robles Volunteer Firehouse" for long-term use of the 1944 Mack Fire Truck.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:
ABSTAIN:
ABSENT:

17.1 LAFCO CONSIDERATION OF TEMPLETON SPHERE OF INFLUENCE REQUEST

R. Whisenand, Community Development Director

Council discussed the City's presentation for the April 20, 2006 LAFCO Board hearing and offered input on the joint request by the City and County for deferral of Templeton's Sphere Amendment.

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. The City Manager called to mind that a strong representation from the City would convey the importance of this issue to LAFCO, and encouraged as many members of the Council as possible to attend. Councilmembers agreed to attend.

The Council agreed to join with the County of San Luis Obispo in requesting deferral of action by the Local Agency Formation Commission (LAFCO) on Templeton Community Services District application to amend their Sphere of Influence (SOI) to include properties contiguous to, and surrounding, the City on our southwestern border. The deferral is sought to allow time for the parties (City, County, TCSD, and other interested groups) to develop mutually acceptable long-term plans for private development (or lack thereof) on these properties.

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION -

COUNCIL COMMENTS

18. League of California Cities – Local Street & Road Infrastructure Bond Proposal

Approve letter from the City to the State Legislature supporting infrastructure bond proposal for local street and road funding as proposed by the League of California Cities.

CONTINUED FROM APRIL 4 2006

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

By unanimous consent, the Council moved to authorize the Mayor to sign a letter to the State Legislature on behalf of the City of Paso Robles.

Mayor Mecham spoke to the immediate vacancy on the Planning Commission for an unexpired term of six months. As recruiting may prove difficult for such a short appointment, the Mayor announced that former

member, Ron Johnson, would be available serve in the interim until a full-term appointment on the Commission occurred, in December 2006. The matter was continued to the May 2nd, 2006 City Council Meeting.

PUBLIC COMMENT ON CLOSED SESSION – None

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

It was the consensus of Council to adjourn from regular session at 9:48 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 11:35 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Yang announced that not reportable action was taken.

By unanimous voice vote, Council moved to adjourn from regular session at 11:40 PM.

ADJOURNMENT:

- | ADJOURNMENT | |
|--------------------|--|
| • | To THE LOCAL AGENCY FORMATION COMMITTEE (LAFCO) MEETING CONCERNING THE TEMPLETON COMMUNITY SERVICES DISTRICT APPLICATION TO EXPAND SOI AROUND CITY OF PASO ROBLES' SOUTHWESTERN AREA, AT 9:00 AM, THURSDAY, APRIL 20, 2006 AT COUNTY GOVERNMENT CENTER, SAN LUIS OBISPO |
| • | To CHANNEL COUNTIES DIVISION, LEAGUE OF CALIFORNIA CITIES , AT 5:30 PM, FRIDAY, APRIL 21, 2006 AT 1050 CYPRESS RIDGE PARKWAY, ARROYO GRANDE |
| • | THE MELODY BASIN NEIGHBORHOOD MEETING AT 7:00 PM, WEDNESDAY, APRIL 26, 2006 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET |
| • | to THE REGULAR MEETING AT 7:30 PM ON TUESDAY, MAY 2, 2005, 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.