



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, October 3, 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 – Rev. Donn Ragle, Donn Ragle Ministries

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

PUBLIC COMMENTS

- Lisa Klockenteger expressed her appreciation for the City's proclamation of October as "Dental Hygiene Month"

AGENDA ITEMS TO BE DEFERRED (IF ANY) - None

PRESENTATIONS– None

PUBLIC HEARINGS

1. **Updated Development Impact Fees**
R. Whisenand, Community Development Director

(CONTINUED FROM AUGUST 1, 2006) Consider updating Development Impact Fees based on a Needs List that meets the goals of the 2003 General Plan. The fee adjustments would generate \$184 million for infrastructure needed to serve new development. At the August 1, 2006 the City Council heard testimony regarding the proposed fees and continued the Public Hearing for 60 days to meet with representatives of the Home Builders' Association. City Engineer, John Falkenstien presented the staff report and introduced David Taussig who presented an overview of his revised study.

Mayor Mecham opened the public hearing. Speaking from the public was John Wallace, Jerry Bunin, Home Builders Association, and Dick Willhoit, Estrella Associates. There were no further comments from the public, either written or oral, and the public discussion was closed. Emergency Services Battalion Chief Taylor explained that the item on Table 2, Section D "Public Safety Facilities", Fire Facilities, item 5 was not a reference to a second ladder truck. Councilmember Strong noted that he had *ex parte* discussions with a number of developers in the area.

Council adjourned for a 5-minute recess at 8:55 PM.

Councilmember Strong, seconded by Councilmember Nemeth, moved to adopt Resolution No. 06-188 implementing new non-utility Development Impact Fees with collection of fees upon certificate of occupancy in the amount in effect at that time. All permit applications submitted prior to October 3, 2006 shall be assessed fees in effect on October 3, 2006;

Motion passed by the following unanimous roll call vote:

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

2. General Plan Amendment GPA 2006-002 and Rezone 05-006 To Redesignate and Rezone Property Located on Airport Road

R. Whisenand, Community Development Director

The General Plan is the City's primary long-range planning tool for land use, infrastructure, and public facilities. The State places a limit of four (4) amendments to any one element of the General Plan in a calendar year.

Consider a General Plan Amendment (Land Use) modifying designation of property currently Agriculture (AG) to Parks and Open Space (POS) with overlay districts of Resort/Lodging (R/L) and Airport (AP) on two parcels totaling approximately 40.33 acres (APNs 025-436-029 and 025-436-030). The project is located in northeast Paso Robles, along the east side of Airport Road, just north of the intersection of Airport Road and Highway 46 East. The conceptual development plan, submitted by applicants Jerry and Katherine Handley, includes a resort, transient lodging, a restaurant, a few shops, and other ancillary uses. Action on the development project is not requested at this time. City Planner, Susan DeCarli, presented the staff report.

Mayor Mecham opened the public hearing. Speaking from the public was Jeff Schneidereit, architect for the applicant, and Chuck Miller, member of the City's Citizen's Airport Advisory Committee. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Strong, moved on separate motions to:

1. Adopt Resolution No. 06-189 approving a General Plan Amendment, GPA 2006-002, to amend the General Plan Land Use Map designation from Agriculture (AG) to Parks and Open Space Resort/Lodging Overlays (POS-R/L) for the subject property located on Airport Road.

2. Introduce for first reading Ordinance No. XXX N.S. approving Rezone 05-006, to amend the Zoning Map from Agriculture (AG) to Parks and Open Space with a Resort/Lodging Overlay (POS-R/L) for the subject property located on Airport Road; and set October 17, 2006 as the date for adoption of said Ordinance.

Motions passed by the following unanimous roll call votes:

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

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.

3. Approve City Council minutes of September 19, 2006
4. Approve Warrant Register: Nos. 65029—65154 (09/15/06), 65155—65321 (09/22/06) and other payroll services.
5. Proclamation designating October 2006 as Dental Hygiene Month.
6. Adopt Resolution No. 06-190 authorizing an appropriation of \$5,000 per year, for three years, from the Economic Incentive Fund, to sponsor the Pacific Coast Cutting Horse Association ("PCCHA") Futurity, to be held at the Paso Robles Events Center. The Futurity is a 12-day cutting horse event attracting ~4,000 people/per day. The Futurity will be held in Paso Robles 2007-2009 and the City will join the Visitor & Conference Bureau and the Chamber of Commerce in partial sponsorship of the Futurity.
7. Adopt Resolution No. 06-191 accepting the easement for sewer, water and other utilities provided by Beatrice Howell in order to accommodate the extension of sewer, water and utility lines to Tract 2782 on Experimental Station Road. The Planning Commission approved Tentative Tract 2782 on November 22, 2005. The conditions of approval reflect that the development relies on the extension of utilities, including sewer and water lines, from adjacent Tract 2005, Jena Court.
8. Adopt Resolution No. 06-192 authorizing the City Manager to execute a contract with Blue Cross for medical coverage for one additional year, at renewal rates 6.5% higher than the current contract. The City's Health Committee recommends renewal.

Consent Calendar Items Nos. 3-8 were approved on a single motion by Councilmember Strong, seconded by Councilmember Nemeth, with Councilmember Picanco abstaining on Warrant Register Items Nos. 065116, 065118, and 065274.

Motion passed by the following unanimous roll call vote:

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

DISCUSSION

9. Tax Resource Allocation and Sports Pricing Policy - Adults

A. Robb, Director Library and Recreation Services

(CONTINUED FROM NOVEMBER 15, 2005) Examine public service and infrastructure requirements and address adult sports related pricing policy and determine fees.

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 Picanco, moved to adopt Resolution No. 06-193 implementing revised phasing fee adjustments for Adult Sports retroactive to July 1, 2006 as outlined in Exhibit 3 of the resolution.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT: Heggarty

10. Request to Remove Oak Tree at 2670 North River Road (O'Kelly)

R. Whisenand, Community Development Director

Consider a proposal by Brian O'Kelly to remove one oak tree on property located at 2670 North River Road and within the planned road right-of-way. The project consists of a 9-acre property, subdivided into 13 single-family residential lots accessed by Kleck Road. The request is based on Tentative Tract 2805 and Planned Development PD 06-006, approved by the Planning Commission on July 11, 2006. A revised arborist report was distributed correcting the number of trees affected (The recommendation to remove 7 oak trees--six of seven trees were determined to be dead or diseased.)

Mayor Mecham opened the public hearing. Speaking from the public was Christy Gabler, with North Coast Engineering, and applicant Brian O'Kelly. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Strong, moved to adopt Resolution No. 06-194 authorizing OTR 06-007, allowing the removal of a 27-inch Blue Oak tree, based on the tree being in poor health and low aesthetic value and that the removal is necessary in order to accommodate the extension of Kleck Road, per the Union 46 Specific Plan, and that (4) 1.5-inch diameter replacement Blue Oak trees be planted at the direction of the Arborist

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT: Heggarty

11. Library/City Hall Sulfur Spring Repairs – Contract Amendment

M. Williamson, Assistant City Manager

Consider amending an existing contract with Boyle Engineering to conduct additional technical analysis required by the Federal environmental review process for the sulfur spring. The Scope of Work that has been approved by FEMA will cost an additional \$18,500. This will bring the total cost of the Boyle sulfur spring contract to \$223,000. The City has requested FEMA cover the cost of mitigating the sulfur spring and repair of the parking lot.

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. 06-195 to amend the contract with Boyle Engineering in an amount of \$18,500 for the FEMA required hydro-geological modeling.

Motion passed by the following unanimous roll call vote:

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

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION –

12. Citizens Airport Advisory Committee – Make Appointment to Fill Current Vacancy

M. Williamson, Assistant City Manager

Select date for conducting interviews and making appointments for vacancies on the Citizen's Airport Advisory Committee. There are three regular terms (2-year) set to expire November 1, 2006. Five applications have been received.

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

By general consensus, October 12th, 2006 at 7:00 PM, at the City Hall/Conference Center, was set as the date and location to hold interviews for the vacancies on the Citizens Airport Advisory Committee.

AD HOC COMMITTEE COMMUNICATION –

13. Ad Hoc Committee Formation – Vehicle and Equipment Needs

D. Monn, Director of Public Works

Consider appointing an Ad Hoc committee to assist staff in the review of vehicle and equipment needs and specifications.

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

By general consent Councilmembers Nemeth and Picanco were appointed to an ad hoc committee to work with staff to review vehicle equipment needs and specification for the City.

COUNCIL COMMENTS (Including oral reports on conferences attended) - None

ADJOURNMENT: to

- TO COUNTRY REAL ESTATE HARVEST FESTIVAL ON FRIDAY, OCTOBER 6, 2006, AT 630 14TH STREET, PASO ROBLES
- TO PIONEER DAY ON OCTOBER 7; 2006
- TO PASO WATCH CANDIDATES' FORUM, 7:00 PM ON MONDAY, OCTOBER 9, 2006 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES
- HIGHWAY 101/46 WEST PROPERTY OWNERS CFD MEETING AT 7:00 PM, ON WEDNESDAY, OCTOBER 11, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES
- CITIZENS AIRPORT ADVISORY COMMITTEE INTERVIEWS AT 7:00 PM, THURSDAY, OCTOBER 12, 2006 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES
- TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, OCTOBER 17, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES

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.**