



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, December 5, 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 Reverend Patrick Sheean

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

PUBLIC COMMENTS

- Tom Hardwick, on the subject of city-owned verses privately-owned streets, and Reverend Patrick Sheean, expressing appreciation for council's guidance and leadership.

PRESENTATIONS– None

1. **Results of Consolidated General Election – November 7, 2006**
D. Fansler, City Clerk

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.06-225 reciting the facts of the Consolidated General Election held on November 7, 2006: Frank R. Mecham was elected as Mayor for the full term of two (2) years; John R. Hamon, Jr. was elected as Member of the City Council for the full term of four (4) years; and Duane J. Picanco was elected as Member of the City Council for the full term of four (4) years.

Motion passed by the following unanimous roll call vote:

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

The City Council members recognized outgoing Mayor Pro Tem Jim Heggarty for his distinguished service to the community of Paso Robles and for the straightforward and sincere manner in which he has carried out the responsibilities and duties of his office.

2. Oaths of Office and Seating of Newly Elected Mayor and Councilmembers

D. Fansler, City Clerk

Oaths of Office were administered to members of the new Council: Mayor Frank Mecham and Councilmembers John Hamon and Duane Picanco.

Council adjourned for a 20-minute recess, and the public was invited to share refreshments and take this opportunity to extend their farewells to outgoing Councilmember Heggarty.

Council reconvened at 8:00 PM. with the Mayor and all City Councilmembers present.

3. Selection of Mayor Pro Tem, Redevelopment Agency Chairman, and Redevelopment Agency Vice Chairman

F. Mecham, Mayor

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

Councilmember Hamon, seconded by Councilmember Strong, moved to appoint Councilmember Nemeth as Mayor Pro Tem. Motion passed by unanimous voice vote.

Councilmember Nemeth, seconded by Councilmember Hamon, moved to appoint Councilmember Strong as Redevelopment Agency Chairman. Motion passed by unanimous voice vote.

Councilmember Strong, seconded by Councilmember Nemeth, moved to appoint Councilmember Hamon as Vice Chairman of the Redevelopment Agency. Motion passed by unanimous voice vote.

4. Appointment of Members to Council Liaison and Ad Hoc Committees

F. Mecham, Mayor

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

Councilmember Picanco, seconded by Councilmember Nemeth, moved to continue the item. Motion passed by unanimous voice vote.

AGENDA ITEMS TO BE DEFERRED (IF ANY) - None

PUBLIC HEARINGS

Making a declaration of conflict (serving as Chairman of the Commission at the time Tract 2772 received approval by the Planning Commission), Councilmember Hamon recused himself from voting on Item No. 5 and left the dais until deliberations were concluded.

5. **Appeal of Planning Commission Approval of Tract 2772 (Erskine)**

R. Whisenand, Community Development Director

Consider an appeal of Planning Commission approval of Tract 2772, an industrial subdivision involving 36 lots on 39 acres, located along Dry Creek Road, west of Airport Road. The appeal is filed by Tom Erskine, a neighboring property owner, citing concerns with traffic safety and use of private streets to access his adjoining property.

Mayor Mecham opened the public hearing. Mr. Erskine reviewed his appeal with the Council; and applicant Chris Hoskins and Andrew Hays, attorney for the applicant, outlined the Tract 2772 project. There were no further comments from the public, either written or oral, and the public discussion was closed. Councilmembers Picanco, Strong and Nemeth each declared they had separate *ex parte* meetings with Doug Mondo, an applicant of the project.

Councilmember Strong, seconded by Councilmember Nemeth, moved adopt Resolution No. 06-226 approving the appellant's request to amend approval of Tentative Tract 2772, amending Condition No. 24 as follows: *"The applicant shall design a public street from Dry Creek Road through the subdivision to the boundary of APN: 025-431-040 subject to the approval of the City Engineer. The public street shall be offered for dedication on the final map."*

Motion passed by the following roll call vote:

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

Councilmember Hamon returned to his seat at the dais.

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.

6. Approve City Council minutes of November 21, 2006.
7. Approve Warrant Register: Nos. 66378—66573 (11/17/06) and 66574—66675 (11/22/06) and Other Payroll Services
8. Receive and file Advisory Body Committee minutes as follows:
Library Board of Trustees meeting of October 12, 2006
9. Adopt Resolution No. 06-227 accepting the completed public improvements of Tract 2521 into the City's maintenance system. The Subdivider, John Bertoni, has constructed Country View Lane (located along 21st Street, west of Almond Springs Drive), in Tract 2521, in accordance with the Subdivision Improvement Agreement approved on June 7, 2005. Following a one-year period, the City will assume street, sewer and drainage maintenance costs. Parkway landscaping and street lighting costs will be financed by the benefiting property owners through the Landscape and Lighting District.
10. Adopt Resolution No. 06-228 accepting the completed public improvements of Tract 2775 into the City's maintenance system. The Subdivider, James Guthrie, has constructed Maplewood Court (located along Maple Street, south of Pacific Avenue), in Tract 2775, in accordance with the Subdivision Improvement Agreement approved on June 20, 2006.

Following a one-year period, the City will assume street, sewer and drainage maintenance costs. Parkway landscaping and street lighting costs will be financed by the benefiting property owners through the Landscape and Lighting District.

Consent Calendar Items Nos. 6-10 were approved on a single motion by Councilmember Nemeth, seconded by Councilmember Strong, with Councilmember Picanco abstaining on Warrant Register Items Nos. 066502, 066503, 066507 and 066537.

Motion passed by the following unanimous roll call vote:

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

DISCUSSION

11. Street Abandonment 06-002 (James Street, Boyd)

R. Whisenand, Community Services Director

Consider approving a summary vacation of an unimproved variable width portion of James Street right-of-way, west of Cherry Street, requested by John and Vaughn Boyd. The purpose of the request is to expand residential use of the adjacent parcel to the abandoned area. The Planning Commission recommended approval of the request.

Mayor Mecham opened the public hearing. Speaking from the public was John McCarthy. 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. 06-229 approving the request of the applicant to abandon a portion of James Street right-of-way west of Cherry Street.

Motion passed by the following unanimous roll call vote:

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

12. Request for Covered Parkway at 1421 Spring Street (Kelly)

R. Whisenand, Community Services Director

Consider approving a request to allow placement of a temporary wood walkway at 1421 Spring Street from January 1, 2007 to December 1, 2007.

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

Councilmember Hamon, seconded by Councilmember Nemeth, moved to adopt Resolution No. 06-230 approving the request for an encroachment permit for a covered walkway at 1421 Spring Street, subject to the conditions that the covered walkway be painted to amend its appearance, be maintained in a safe and clean manner, and be kept clean of all advertising.

Motion passed by the following unanimous roll call vote:

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

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION -

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

ADJOURNMENT:

to THE GARBAGE MANS BALL AT 6:30 PM ON FRIDAY, DECEMBER 8, 2006, AT THE EMBASSY SUITES, SAN LUIS OBISPO

to THE VINE STREET SHOWCASE AT 6:00 PM ON SATURDAY, DECEMBER 9, 2006

to THE ADJOURNED REGULAR MEETING FOR ADVISORY BODY INTERVIEWS & APPOINTMENTS AT 6:00 PM, MONDAY, DECEMBER 11, 2006 AT THE 2ND FLOOR CONFERENCE ROOM, 1000 SPRING STREET

to THE ADJOURNED REGULAR MEETING FOR ADVISORY BODY INTERVIEWS & APPOINTMENTS AT 6:00 PM, WEDNESDAY, DECEMBER 13, 2006 AT THE 2ND FLOOR CONFERENCE ROOM, 1000 SPRING STREET

to THE PASO ROBLES CHAMBER OF COMMERCE HOLIDAY RECEPTION AT 5:00 PM ON THURSDAY, DECEMBER 14, 2006, AT THE HOLIDAY INN EXPRESS, PASO ROBLES

to THE DEDICATION CEREMONY FOR CANYON CREEK APARTMENTS AT 11:00 AM, ON MONDAY, DECEMBER 18, 2006 AT 400 OAK HILL ROAD, PASO ROBLES, CA

to THE REGULAR MEETING AT 7:30 PM ON TUESDAY, DECEMBER 19, 2006, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Submitted:

Deborah D. Robinson, 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.