

It was moved by Councilmember Macklin, seconded by Councilmember Mecham, to adopt Resolution 99-239 to appropriate \$22,880 in 1999 CDBG funds for the operation of a teen program at the Boys and Girls Club. Motion passed by the following unanimous roll call vote:

AYES: Baron, Macklin, Mecham, Swanson and Picanco
NOES: None
ABSTAIN: None
ABSENT: None

20. Year 2000 Federal CDBG, Home and ESG Programs (R. Lata, Community Development Director)

Provide staff direction regarding activities (programs or projects) to which the City should apply for funding with the Year 2000 allocations of:

- The City's allotment of Community Development Block Grant (CDBG) funds
- County-wide allotment of Home Investment Partnership Act (HOME) funds
- County-wide allotment of Emergency Shelter Grant (ESG) funds

Mayor Picanco opened the public hearing. There were no comments either written or oral.

It was moved by Councilmember Mecham, seconded by Councilmember Macklin, to direct staff to file applications for the following programs and projects as follows:

CDBG: Low Income Benefit (70%)

- Phase 2 of the "Public Improvements to Low Income Neighborhoods" project to install street improvements (curb, gutter, sidewalk) for Park Street, between 28th Street and 34th Street and in front of 721 28th Street. Up to \$120,000 to reimburse the City for general funds advanced to supplement 1997 CDBG funds already allocated to this project.
- Disabled Access Improvements to the Carnegie Library Building to supplement 1998 CDBG funds allocated to this project. Up to \$126,400.

CDBG: Blight Elimination (30%)

- Phase 2 of the Skate Park project. Up to \$105,600 to reimburse the City for Park Development Impact Fee funds advanced to supplement 1996 and 1998 CDBG funds already allocated to this project.
- Alley improvements in the downtown. Up to \$105,600 to continue to improve alleys in the downtown.
- Historic Street Lights in the downtown. Up to \$105,600 to continue to install historic street lights in the downtown.

HOME Program

- First Time Homebuyers Assistance Loan Program: Apply for up to \$300,000 in HOME funds, to be matched with \$100,000 in Redevelopment Low and Moderate Income Housing Funds to form a pool of \$400,000 for deferred-payment second mortgages for low income households that qualify as "first-time homeowners."

Motion passed by the following unanimous roll call vote:

AYES: Baron, Macklin, Mecham, Swanson and Picanco
NOES: None
ABSTAIN: None
ABSENT: None

Council adjourned for a 5-minute recess at 12:15 a.m.

21. Response Readiness Report for New Year's Eve – "Y2K" (D. Hamp, Emergency Services Chief)

Provide information on the City's operational readiness for New Year's Eve 1999/2000 – "Y2K." Chief Hamp gave an overview of the Response Readiness Report and Chief Cassidy provided additional detail.

Mayor Picanco opened the public hearing. There were no comments either written or oral.

The Council, by general consensus, agreed to receive and file the Response Readiness Report.

CITY MANAGER

22. Schedule date for workshop on January 10, 2000 or January 24, 2000 with Airport FBO Selection Consultant.

It was moved by Councilmember Mecham, seconded by Councilmember Macklin, to set 6:00 PM, January 24, 2000, for a joint workshop session with the Airport FBO selection consultant. Motion passed by unanimous voice vote.

CORRESPONDENCE

ADVISORY BODY COMMUNICATION

23. Receive and file minutes for the following meeting:

- a. Citizens Airport Advisory Committee meeting of October 28, 1999
- b. Pioneer Museum Board meeting of November 11, 1999
- c. Library Board of Trustees meeting of November 18, 1999
- d. Senior Advisory Committee meeting of November 8 and 12, 1999

It was moved by Councilmember Mecham, seconded by Councilmember Macklin, to receive and file minutes of the above meetings. Motion passed by unanimous voice vote.

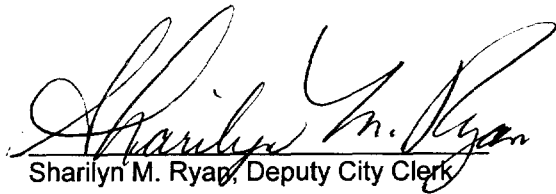
AD HOC COUNCIL BUSINESS

The City Council, by general consensus, adjourned from regular session at 12:30 AM, Wednesday, December 22, 1999, and re-adjourned to closed session on Item #B, sale/purchase negotiation of real property at 4th and Pine Streets.

The closed session meeting was concluded at 1:30 AM., Wednesday, December 22, 1999, with Mayor Picanco announcing that the Council reviewed the ongoing negotiation and gave instructions to its negotiator; however, no reportable action was taken.

ADJOURNMENT: to THE REGULAR CITY COUNCIL MEETING ON TUESDAY, JANUARY 4, 2000, 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE ADJOURNED REGULAR MEETING ON THURSDAY, JANUARY 6, AT 7:00 PM IN THE LARGE CONFERENCE ROOM, 2ND FLOOR, CITY HALL, 1000 SPRING STREET.

Respectfully submitted,



Sharilyn M. Ryan, Deputy City Clerk



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL

Tuesday, December 21, 1999 7:30 PM

CALL TO ORDER

The City Council of the City of El Paso de Robles, meeting in regular session at 6:45 p.m. on the above date in the City Hall Large Conference Room, was called to order by Mayor Duane Picanco.

ROLL CALL Councilmembers Tom Baron, Walt Macklin, Frank Mecham, Lee Swanson and Mayor Duane Picanco.

PUBLIC COMMENTS

No public comment.

CLOSED SESSION

Deputy City Attorney Jon Seitz announced that Agenda Item #A was pulled from the closed session agenda, and announced the City Council's authority to go into closed session as stated in the agenda packet on Agenda Item #B, the sale/purchase negotiation of real property.

The City Council thereupon adjourned to Closed Session.

The City Council returned to Regular Session at 7:30 p.m.

REGULAR SESSION

CALL TO ORDER

The City Council of the City of El Paso de Robles, meeting in regular session at 7:30 p.m. on the above date in the Library/City Hall Conference Center, was called to order by Mayor Duane Picanco.

CLOSED SESSION REPORT

There was no reportable action. Mayor Picanco stated that Council would be returning to closed session at the end of the regular meeting.

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL Councilmembers Tom Baron, Walt Macklin, Frank Mecham, Lee Swanson and Mayor Duane Picanco

Mayor Picanco extended the Council's wishes for a wonderful holiday season to all residents of the community.

PUBLIC COMMENTS

- Dee Lacey presented council with a check for \$17,000 in private donations collected from residents of the community for the skate park project. She then read a letter of appreciation from the ACORN organization thanking the City Council for their support of this project.

PRESENTATIONS & CELEBRATIONS

1. Oak Park Dancers

The Oak Park Dancers performed a dance routine to *Gangsters' Paradise* (choreographed by their dance instructor Tiffany Jeffcoach) depicting the senselessness and futility of gang-related behavior.

Councilmembers stepped down from the dais during the performance.

2. Youth Commission

Barbara Partridge, Director of Library & Recreation Services, introduced members of the newly established Youth Commission.

3. Air Pollution Control District

Robert Carr (Air Pollution Control Officer) and Paul Allen (Manager, Technical Services Division) presented an update on the findings of the air transport study conducted by the APCD (Air Pollution Control District).

NOTICED HEARINGS

4. Aesthetic Design for Proposed 4 Million Gallon (MG) Water Tank (D. Esperanza, City Engineer)

Consider final aesthetic design as part of the construction of a water tank. Pierre Rademaker provided a review of the design and materials to be used in construction.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Pat Mackie, Dan Lloyd of Engineering Development Associates (speaking for Weyrich Development) and Matt Masia. There being no further comments either written or oral, the public hearing was closed.

It was moved by Councilmember Swanson, seconded by Councilmember Macklin, to direct staff to develop other design options utilizing not only fabricated rocks but also unfabricated materials, including cost estimates for each option. Motion passed by the following roll call vote.

AYES: Macklin, Mecham, Swanson and Picanco
NOES: Baron
ABSTAIN: None
ABSENT: None

**ADJOURN TO JOINT MEETING OF PUBLIC FINANCING AUTHORITY,
REDEVELOPMENT AGENCY & CITY COUNCIL**

ROLL CALL Agencymembers Tom Baron, Frank Mecham, Duane Picanco, Lee Swanson and Chairman Walt Macklin

NOTICED HEARINGS

5. **Redevelopment Plan Amendment Extension of Eminent Domain** (R. Lata, Community Development Director)

City Council and Redevelopment Agency to consider a proposed Amendment to the Paso Robles Redevelopment Plan.

Deputy City Attorney Jon Seitz discussed the authority and requirements concerning the City's use of the eminent domain power.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Nick Gilman, Pat Mackie, Sherry Nelson, Jim Gates, Matt Masia, Steve Martin and Madie Gates. There being no further comments either written or oral, the public hearing was closed.

It was moved by Agencymember Baron, seconded by Agencymember Swanson, to adopt Resolution No. RA 99-10, approving a Negative Declaration for Amendment No. 1 to the Paso Robles Redevelopment Project. Motion passed by the following roll call vote:

AYES: Baron, Picanco, Swanson and Macklin
NOES: Mecham
ABSTAIN: None
ABSENT: None

It was moved by Councilmember Baron, seconded by Councilmember Swanson, to approve Resolution No. 99-235 adopting findings in response to written objections received from affected taxing entities or property owners on adoption of the amendment to the Redevelopment Plan for the Paso Robles Redevelopment Project. Motion passed by the following roll call vote:

AYES: Baron, Macklin, Swanson and Picanco
NOES: Mecham
ABSTAIN: None
ABSENT: None

It was moved by Councilmember Baron, seconded by Councilmember Swanson, to give first reading of Ordinance No. XXX N.S. amending Ordinance No. 540 N.S. approving and adopting the amendment to the Redevelopment Plan for the Redevelopment Project; and set January 4, 2000, as the date for second reading and adoption. Motion passed by the following roll call vote:

AYES: Baron, Macklin, Swanson and Picanco
NOES: Mecham
ABSTAIN: None
ABSENT: None

ADJOURN TO CITY COUNCIL MEETING

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Councilmember Mecham, seconded by Councilmember Macklin, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full. Motion passed by the following unanimous roll call vote:

AYES: Baron, Macklin, Mecham, Swanson and Picanco
NOES: None
ABSTAIN: None
ABSENT: None

Those items approved were as follows:

6. **Approve City Council Minutes of December 7, 1999** (D. Fansler, City Clerk)
7. **Approve Warrant Register** (M. Compton, Administrative Services Director)
8. **Adopt Ordinance No. 785 N.S. by regular motion, ordering that the Ordinance be read by title only, then by separate motion adopting the Ordinance establishing Chapter 9.05 to establish regulations for use of skate parks.** (R. Lata, Community Development Director)
9. **Adopt Resolution 99-236 accepting the State of California, Aid to Airports Program – Grant Agreements #3-06-0184-11 and 3-06-0184-12, together with all of the standard conditions and assurances included therein, and authorize the execution of said agreements as required.** (D. Esperanza, City Engineer)

10. Award copier purchase/maintenance agreement for one low-volume copier and one high-volume copier scheduled for immediate replacement. (C. Pilg, Executive Secretary)
11. Conclude that the land use as described by Mr. Geoff Miller in his letter dated December 13, 1999, would appear consistent with the purpose and intent of the C-1 Zone. (R. Lata, Community Development Director)

Council adjourned for a 15-minute recess at 9:25 p.m.

PUBLIC DISCUSSION

12. **Request to Remove Oak Tree** (D. Esperanza, City Engineer)

Consider a request from Peter Winslow to remove an 8-inch diameter oak tree located on Lot 27 of Tract 1771.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Pete Winslow, Jack Brazeal, Jim Kerr, Jim Edwards and Cheryl Jordens. There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Baron, seconded by Councilmember Macklin, to allow the property owner to remove an 11-inch diameter oak tree located on Lot 27 of Tract 1771 and replace the removed tree with new plantings per the City's Oak Tree Ordinance No. 553 N.S. Motion passed by the following roll call vote:

AYES: Baron, Macklin, Mecham and Swanson
 NOES: Picanco
 ABSTAIN: None
 ABSENT: None

13. **Final Approval to Remove Oak Trees** (D. Esperanza, City Engineer)

Consider final approval to remove oak trees, Tract 2223-2 (Arciero).

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Ed King of EMK & Associates (representing Bella Vista Estates), Pat Mackie and Mike Menath. There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Macklin, seconded by Councilmember Baron, to continue this item to the January 18, 2000, regular City Council meeting in order to allow the Planning Commission time to review a new request by developer to remove additional trees; and to request staff to provide an arborist report to Council on all trees approved for removal. Motion passed by the following unanimous roll call vote:

AYES: Baron, Macklin, Mecham, Swanson and Picanco
 NOES: None
 ABSTAIN: None
 ABSENT: None

14. **City Council to Direct Staff Regarding Certain Adopted City Policies** (D. Esperanza, City Engineer)

The Oak Tree Ordinance and the Adopted Circulation Element of the General Plan for Spring Street are two policies that are in competition for staff implementation. Staff requests direction as to which policy to uphold/implement.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Pat Mackie and Matt Masia. There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Macklin, seconded by Councilmember Baron, to direct staff to employ a traffic engineer to perform a traffic study in an effort to determine whether the three oak trees at 2145 Spring Street Spring can be saved. Motion was withdrawn.

It was moved by Councilmember Swanson, seconded by Councilmember Macklin, to adopt Option B, establishing the following requirements with the development proposal at 2145 Spring Street:

1. Construct curbs, gutter and sidewalk along the property frontage on 21st Street.
2. Construct an alley approach at 21st Street.
3. Reconstruct/improve that portion of the alley at the rear of the property.
4. Plant three (3) 1½ inch minimum caliper oak trees at 21st Street.

Motion passed (**see motion to rescind below) with the following roll call vote:

AYES: Macklin, Swanson and Picanco
NOES: Baron and Mecham
ABSTAIN: None
ABSENT: None

(**) It was moved by Councilmember Swanson, seconded by Councilmember Macklin, to rescind the prior motion. Motion passed with the following unanimous roll call vote:

AYES: Baron, Macklin, Mecham, Swanson and Picanco
NOES: None
ABSTAIN: None
ABSENT: None

It was moved by Councilmember Swanson, seconded by Councilmember Macklin, to adopt Option A, with a change to Item 4, establishing the following requirements with the development proposal at 2145 Spring Street:

1. Construct and reconstruct curbs, gutter and sidewalk along the property frontage on 21st Street and on Spring Street.
2. Construct an alley approach at 21st Street.
3. Reconstruct/improve that portion of the alley at the rear of the property.
4. Remove 3 oak trees at Spring Street and plant three (3) 1½ inch minimum caliper oak replacement trees in accordance with the Oak Tree Ordinance; and add 3 additional trees in accordance with the Spring Street Master Plan.

Motion passed with the following roll call vote:

AYES: Macklin, Swanson and Picanco
NOES: Baron and Mecham
ABSTAIN: None
ABSENT: None

15. **Approval of the Street Section for a Portion of Rolling Hills Road** (D. Esperanza, City Engineer)

Consider approving a street section for a portion of Rolling Hills Road as part of the development of Tentative Tract 2350 (Weyrich Development).

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Dan Lloyd of Engineering Development Associates (representing Weyrich Development). There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Macklin, seconded by Councilmember Swanson, to grant the developer's request to install improvements along Rolling Hills Road along his property frontage in accordance to the attached exhibits. Motion passed by the following unanimous roll call vote:

AYES: Baron, Macklin, Mecham, Swanson and Picanco
NOES: None
ABSTAIN: None
ABSENT: None

Councilman Baron stepped down from the dais due to illness.

16. **Request for Partial Plan Check and Building Permits (Paris Precision/Clay Running)** (R. Lata, Community Development Director)

Consider a request by Clay Running of Paris Precision for the City to provide plan check services and partial/phased building permits for a large manufacturing building.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Nick Gilman and Clay Running. There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Mecham, seconded by Councilmember Macklin, to direct staff to proceed with plan check and building permit issuance for the foundation portion of the Paris Precision project on Ramada Drive, subject to the property owner/developer entering into an agreement with the City to fully release the City of any and all liability of such an action (in a manner to be approved by the City Attorney), and the property owner reimbursing the City for all related expenses. Motion passed by the following roll call vote:

AYES: Macklin, Mecham, Swanson and Picanco
NOES: None
ABSTAIN: None
ABSENT: Baron

Councilman Baron was reseated at the dais.

17. **Newsrack Fees** (R. Lata, Community Development Director)

Consider a schedule of fees for permits and appeals as provided for in the newsrack ordinance adopted as Ordinance 780 N.S.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Dick Reddick. There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Baron seconded by Councilmember Swanson, to adopt Resolution No. 99-237 establishing fees for administration of the newsrack ordinance as follows: Original permit fee \$20 for units 1-4, with an annual fee of \$5 thereafter; for 5+ units a discount of 25% will apply; and for 20+ units a discount of 50% will apply. Motion passed by the following unanimous roll call vote:

AYES: Baron Macklin, Mecham, Swanson and Picanco
NOES: None
ABSTAIN: None
ABSENT: None

18. **Award of Bid: CDBG-funded Park Street Improvements** (R. Lata, Community Development Director)

Consider awarding to the low bidder a contract to construct street improvements (curb, gutter, sidewalk and some paving) in Park Street, between 28th Street and 34th Street and possibly in front of 721 28th Street.

Mayor Picanco opened the public hearing. There were no comments either written or oral.

It was moved by Councilmember Swanson, seconded by Councilmember Macklin, to adopt Resolution 99-238 to appropriate \$120,000 from the Capital Improvement Project Budget – Street Overlays for Fiscal Year 2001/2002 and award the work to the lowest bidder for this option, J. Madonna Construction of San Luis Obispo, in the amount of \$219,561.10. Motion passed by the following unanimous roll call vote:

AYES: Baron, Macklin, Mecham, Swanson and Picanco
NOES: None
ABSTAIN: None
ABSENT: None

19. **Boys and Girls Club Teen Program: Appropriation of CDBG Funds** (R. Lata, Community Development Director.)

Appropriate \$22,880 in 1999 Community Development Block Grant (CDBG) funds to the Boys and Girls Club for operation of a teen program.

Mayor Picanco opened the public hearing. There were no comments either written or oral.