

21. **Tree Protection Issues Raised by Mrs. Payne at 7/20/99 City Council Meeting**
(J. McCarthy, Director of Public Works)

Consider issues raised by Mrs. Marie Payne regarding tree preservation in the City.

Motion was made and withdrawn by Councilman Macklin to continue this item to a future meeting.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Bruce White and Marie Payne. There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Swanson, seconded by Councilmember Macklin, to continue with the existing Oak Tree Ordinance without modification. Mayor Picanco directed staff to report back to Council on details of present enforcement policies of City's tree protection ordinance. Motion passed by the following roll call vote:

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

CITY MANAGER

22. **Advisory Body Interview Dates** (J. App, City Manager)

Schedule interview dates for Advisory Body applicants to the following committees: Housing Authority, Library Board of Trustees, Parks and Recreation, Project Area Committee, Senior Citizens' and Transit.

The Council, by general consensus, set Interview dates for Advisory Body applicants for October 7th; 14th and 28th.

CORRESPONDENCE

ADVISORY BODY COMMUNICATION

23. **Receive and file minutes for the following Advisory Meetings:**

- c. **Library Board of Trustees meeting of August 12, 1999**

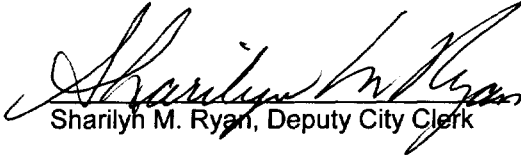
It was moved by Councilmember Macklin, seconded by Councilmember Mecham, to receive and file minutes of the above-referenced meetings. Motion passed by unanimous voice vote.

AD HOC COUNCIL BUSINESS

The Council, by general consensus, agreed to return to Closed Session

ADJOURNMENT: 12:15 AM TO THE ORCHARD BUNGALOW ASSESSMENT DISTRICT ADJOURNED REGULAR MEETING ON THURSDAY, SEPTEMBER 23, 1999, 7:00 PM AT THE FLAMSON AUDITORIUM, 655 24TH STREET; AND TO AN ADJOURNED REGULAR MEETING OF THE CITY COUNCIL IN CLOSED SESSION ON SEPTEMBER 30, 1999, 6:00 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREEET; AND TO THE REGULAR CITY COUNCIL MEETING ON TUESDAY, OCTOBER 5, 1999, 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 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 MEETEING PASO ROBLES CITY COUNCIL September 21, 1999

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

Attorney Harriet Steiner announced City Council's authority to go into closed session as stated in the Agenda packet. Under discussion was anticipated litigation, a property acquisition, and a property sale.

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

No reportable action.

PLEDGE OF ALLEGIANCE

INVOCATION

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

PUBLIC COMMENTS

- Roy Boyce spoke concerning the need for senior health maintenance organizations in the North County and encouraged Council and concerned citizens to write to their government representatives in support.
- George Finnegan spoke regarding the need to steam clean the sidewalks in the downtown area and informed Council that the Main Street organization had located a company to do the cleaning for \$1,500. He asked whether there is money available from the City to help with this project. Councilman Baron supported his request, and staff was directed to put this item on a future agenda.
- Tom Hutchings expressed concerns about the current moratorium on building multi-family dwellings and the need for increased low income housing in the City.
- Pat Mackie asked for information on the appointment process of the City Clerk.
- Joyce Sprague questioned the number of planned overlook areas on the Niblick Bridge and voiced support for having an ice skating rink at the old K-Mart site.

PRESENTATIONS & CELEBRATIONS

1. **Pollution Prevention Week**
Bob Lilley, San Luis Obispo County Assistant Agriculture Commissioner, accepted a Proclamation from Mayor Picanco proclaiming the week of September 20th to be *Pollution Prevention Week*.
2. **Paso Robles School Bond**
Ella Mae Butterfield and Dr. John Davis gave history leading up to School Bond Measure D99 and encouraged voters to support the Measure at the polls.

NOTICED HEARINGS

3. **Appeal of Planned Development 99013 and conditional Use Permit 99006 (Applicant: Paso Robles Storage, LLC) (R. Lata, Director of Community Development)**

Consider an appeal of the Planning Commission's decision at its meeting of 8/24/99 decision to approve Planned Development 99013 & Conditional Use Permit 99006, approving the construction of a new 62,000 square foot self-storage and RV storage facility located at 2941 Union Road.

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

It was moved by Councilmember Baron, seconded by Councilmember Swanson, to modify the Planning Commission's action, approving the project with revised design conditions to require placement of one additional tree per landscape pocket and increase the Sycamore tree size on the corner to a 24 inch box; to adopt Resolution 99-177 granting a Negative Declaration to Planned Development 99013 & CUP 99006 (Paso Robles Storage LLC); to adopt Resolution 99-178 granting approval to Planned Development 99013 subject to standard and site specific development

conditions; and to adopt Resolution 99-179 granting approval to Conditional Use Permit 99006 subject to standard and site specific development conditions. Motion passed unanimously by the following roll call vote:

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

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Councilmember Macklin, seconded by Councilmember Swanson, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with the exception of Items No. 5, 6, 7, 10 and 11 which were pulled for discussion. 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:

4. Approve Warrant Register (M. Compton, Director of Administrative Services)
8. Adopt Resolution 99-180 accepting and approving the execution and recordation of the Final Map and Subdivision Agreement for Tract 1632-7 and annex to Landscape and Lighting District (Priske-Jones); and adopt Resolution 99-181 annexing Tract 1632-7 as part of Subarea 2 to the "Paso Robles Landscape and Lighting District No. 1" (Streets and Highways Code Sections 22500, et seq.) (J. McCarthy, Director of Public Works)
9. Adopt Resolution 99-182 accepting and approving execution and recordation of the Final Map and Subdivision Agreement for Tract 2276 (Bonita Homes, Inc.); and adopt Resolution 99-183 annexing Tract 2276 as part of Subarea 49 to the "Paso Robles Landscape and Lighting District No. 1" (Streets and Highways Code Sections 22500, et seq.) (J. McCarthy, Director of Public Works)

Those items pulled for discussion were as follows:

5. Adopt Ordinance No. 779 N.S. by regular motion, ordering that the Ordinance be read by title only, then by separate motion adopting the Ordinance amending the Borkey Area Specific Plan to update the mix of permissible land uses and modify development standards text within Subarea B of the Specific Plan Document (Applicant - Estrella Associates) Specific Plan Amendment 99004 (R. Lata, Director of Community Development)

Mayor Picanco opened the public hearing. There being no comments either written or oral, the public discussion was closed.

It was moved by Councilmember Macklin, seconded by Councilmember Baron, to approve Consent Item No. 5. Motion passed by the following roll call vote:

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

6. Adopt Ordinance No. 780 N.S. by regular motion, ordering that the Ordinance be read by title only, then by separate motion adopting the Ordinance amending Ordinance 772 N.S. to strengthen regulations for newsracks (R. Lata, Director of Community Development)

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 Mecham, seconded by Councilmember Baron, to approve Consent Item No. 6. Motion passed by the following unanimous roll call vote:

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

7. Adopt Resolution 99-187 accepting an Offer of Dedication for Road Purposes (Jerry Reneau) (J. McCarthy, Director of Public Works)

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

Councilman Mecham stated he would abstain from this vote due to a possible conflict of interest.

It was moved by Councilmember Macklin, seconded by Councilmember Swanson, to approve Consent Item No. 7. Motion passed by the following roll call vote:

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

10. Adopt Resolution 99-184 amending the Compensation and Benefit Plan for non-represented emergency services workers, effective April 1, 1999 to March 31, 2002 and adopt Resolution 99-185 amending the Compensation and Benefit Plan for non-represented professional and management workers, effective April 1, 1999 to March 31, 2002 (D. Fansler, Management Analyst)

11. Adopt Resolution 99-186 approving a salary adjustment for the City Manager (D. Fansler, Management Analyst)

Mayor Picanco opened the public hearing. There being no comments either written or oral, the public discussion was closed.

It was moved by Councilmember Baron, seconded by Councilmember Mecham, to approve Consent Items No. 10 and 11. Motion passed by the following unanimous roll call vote:

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

PUBLIC DISCUSSION

12. Measure D-98 Project - Veteran's/Senior Center (J. McCarthy, Director of Public Works)

Consider modified conceptual design placements for a new Senior/Veteran's Center.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Fred Sweeney, Carl Wynn, Virginia Harris, Wayne Harris, and Curtis Clark. There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Swanson to approve the facility building design as shown in Option C. Motion failed due to lack of a second.

It was moved by Councilmember Macklin, seconded by Councilmember Mecham, to approve the building site as shown in Options B. Motion passed by the following unanimous roll call vote:

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

It was moved by Councilmember Macklin to approve the building design configuration as shown in Option F. Motion failed due to lack of a second.

It was moved by Councilmember Mecham, seconded by Councilmember Macklin, to approve Option B as the facility design for two buildings (each located on the south side of Scott Street just east of Via Ramona), asking the architect to provide his best effort at reaching a size for each building of 4000 square feet, with the City to undertake some of the preliminary site analyses in order to generate a refined cost estimate. Motion passed by the following unanimous roll call vote:

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

Fred Sweeney of Phillips, Metsch, Sweeney & Moore asked for confirmation from Council of the descriptive name for each facility. Names were confirmed as: *Senior Center* and *Veterans' War Memorial Building*.

Council adjourned for a ten minute recess at 9:15 pm. The meeting reconvened at 9:25 pm.

13. **Oak Tree Removal Request** (J. McCarthy, Director of Public Works)

Consider a request to remove two oak trees (a Valley Oak and a Blue Oak) necessary to the widening of Experimental Station Road.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Dick Willhoit and Mike Menath. 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 99-188 approving the removal of two 20-inch diameter oak trees at Experimental Station Road as part of the development of Tract 1895. Motion passed by the following unanimous roll call vote:

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

14. **Subdivision Improvements - Arciero Development (Tract 2223-1)** (J. McCarthy, Director of Public Works)

Receive an update on Tract 2223-1 improvements to be completed by Arciero Development Company, and take appropriate action to complete improvements.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: John Belcher, Dale Gustin, Tim Boatman, Pat Mackie and Mike Menath. There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Baron, seconded by Councilmember Mecham, to approve Resolution 99-160 ordering the withholding of Occupancy Permits, withholding Building Permits, noticing surety and subdivider that the City will complete the subdivision improvements and hold surety and subdivider liable. Motion passed by the following unanimous roll call vote:

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

15. **Tract 2301 (Arciero) - Request to Defer Improvements** (J. McCarthy, Dir. Public Works)

Consider applicant's request to defer certain street improvements.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: John Belcher and Dale Gustin. 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 direct the developer, Arciero and Sons, to complete and satisfy all of the Conditions of Approval for Tract 2301 prior to the issuance of any Certificates of Occupancy for the tract. Motion passed by the following unanimous roll call vote:

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

16. **13th Street Bridge Widening - Design** (J. McCarthy, Director of Public Works)

Select a design concept for the 13th Street Bridge Widening Project.

Mayor Picanco stepped down from the dais and abstained due to a potential conflict of interest.

Mayor Pro Tem Swanson opened the public hearing. Those persons from the public speaking were: Walt Heer, Dale Gustin, Bruce White, Mike Manath, Pat Mackie and Ole Viborg. 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 develop alternative "A" design (4 lanes). Motion passed by the following roll call vote:

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

Councilman Baron requested that the record reflect he had an ex parte telephone conference on this matter with Ole Viborg.

Mayor Picanco was re-seated at the dais.

The City Council adjourned for a ten minute break at 11:10 pm. The meeting reconvened at 11:20 pm.

17. **Salinas Dam Expansion** (J. McCarthy, Director of Public Works)

Consider additional funding for analyses related to San Luis Obispo's Salinas Dam Expansion project.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Pat Mackie (who also read a letter to Council from Eric Greening) and Wayne Harris. There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Swanson, seconded by Councilmember Mecham, to authorize \$250,000 for said effort (which includes \$30,000 previously authorized). Motion passed by the following unanimous roll call vote:

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

It was moved by Councilmember Mecham to adjourn. Motion failed due to lack of a second.

18. **CDBG-Funded Main Street Lights** (R. Lata, Director of Community Development)

Set priorities for locations of historic street lights to be installed with \$52,000 in 1999 Community Development Block Grant (CDBG) funds.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Dale Gustin, Norma Moye, George Finnegan, and Ron Rose. There being no further comments either written or oral, the public discussion was closed.

It was moved by Councilmember Mecham, seconded by Councilmember Baron, to authorize that engineering be accomplished to determine the most advantageous course to pursue. Motion passed by the following unanimous roll call vote:

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

19. **Airport Industrial Park, North Area Development concept - Parsons Report** (J. McCarthy, Director of Public Works)

Consider a conceptual development plan for the North Area of the Airport Industrial Park

It was moved by Councilmember Macklin, seconded by Councilmember Mecham, to continue this item to a future City Council meeting. Motion passed by the following unanimous roll call vote:

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

20. **Salinas River Channel Clearing** (J. McCarthy, Director of Public Works)

Consider adopting a resolution to appropriate funding for clearing of the Salinas River Channel.

Mayor Picanco opened the public hearing. Those persons from the public speaking were: Ole Viborg. 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 adopt Resolution 99-189 with a change in wording in the first paragraph to read "...from the Niblick Street Bridge to the treatment plant facility..."; and direct staff to proceed with obtaining a permit from the Army. Motion passed by the following unanimous roll call vote:

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