

**21. Economic Vitality Corporation**

J. App, City Manager

Consider engaging the Economic Vitality Corporation to assist with business attraction and recruitment efforts.

Mayor Picanco opened the public hearing. Speaking from the public was Sheree Davis. There being no further comments either written or oral, the public discussion was closed.

Councilmember Mecham, seconded by Councilmember Baron, moved to authorize \$5,000 for membership in the Economic Vitality Corporation and for the City Manager to develop a scope of services for business recruitment. Motion passed by the following unanimous roll call vote:

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

**22. 1999-2000 Local Law Enforcement Block Grant Award**

D. Cassidy, Chief of Police

Consider acceptance of a \$34,100 award granted by the Bureau of Justice assistance programs.

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

Councilmember Macklin, seconded by Councilmember Swanson, moved to adopt Resolution No. 00-152 authorizing the acceptance and appropriation of federal grant funds for purchase of police equipment. Motion passed by the following unanimous roll call vote:

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

**CITY MANAGER**

**23.** Select date for conducting interviews for vacancies on the Senior Citizens Advisory Committee (4 applicants; 3 vacancies).

**24.** Select date for conducting interviews for vacancies on the Parks and Recreation Advisory Committee (8 applicants; 7 vacancies).

Councilmember Mecham, seconded by Councilmember Swanson, moved to continue Items No. 23 and 24 to July 18<sup>th</sup>. Motion passed by unanimous voice vote.

**CORRESPONDENCE - None**

**ADVISORY BODY COMMUNICATION**

**25. Receive and file minutes for the following meetings:**

- a. Senior Advisory Committee meeting of April 10 and May 8, 2000
- b. Transit Advisory Committee meeting of May 3, 2000
- c. Parks and Recreation Advisory Committee meeting of May 9, 2000
- d. Public Library Board of Trustees meeting of June 8, 2000

Councilmember Macklin, seconded by Councilmember Swanson, moved to receive and file the above minutes. Motion passed by unanimous voice vote.

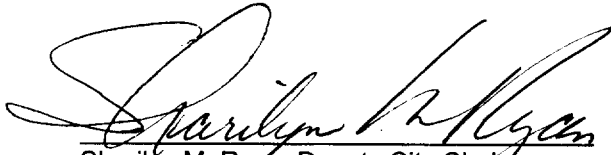
*Councilmember Mecham, seconded by Councilmember Macklin, moved to adjourn from regular session at 1:30 AM July 6<sup>th</sup> and re-adjourn to closed session. Motion passed by unanimous voice vote.*

**CLOSED SESSION**

City Attorney Iris Yang announced City Council's authority to go into closed session as stated in the agenda packet. Under discussion were one anticipated litigation case and a sale of property at 801 4<sup>th</sup> Street. There was no reportable action.

**ADJOURNMENT:** to SPECIAL COUNCIL MEETING ON WEDNESDAY, JULY 12, 2000, AT 7:00 P.M. AND THE REGULAR CITY COUNCIL MEETING ON TUESDAY, JULY 18, 2000, AT 7:30 PM IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:



Sharilyn M. Ryan, Deputy City Clerk  
Approved: September 5, 2000



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL

Wednesday, July 5, 2000 7:30 PM

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### 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.

### 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.

#### PLEDGE OF ALLEGIANCE

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

#### PUBLIC COMMENTS

- Milos Cam-Robb thanked the Council for its recognition of the retiring Youth Commission members at the June 20<sup>th</sup> Council meeting. He expressed his appreciation of Council's support and encouragement during his term of office and the opportunity extended to him through the Youth Commission experience to learn about City government administration and the governing process.

- Mike Menath encouraged residents to use the City's hazardous materials disposal facility for disposing of hazardous waste, like batteries, paints and solvents.
- Jay Huebner expressed disappointment that the Sphere of Influence workshops originally scheduled for this summer have been postponed. He asked Council to consider re-agendizing this matter so those owners of the properties south of Meadowlark, east of Beechwood and north of Creston can be involved in the annexation process. It was the unanimous consensus of the Council to place this matter on a future agenda.
- Tim Devlin, representing a group of local residents desiring to start Central Coast Air Services asked for Council's support to enable them to open their doors by October 1, 2000. Their business would provide Paso Robles with daily charter passenger and cargo services to San Francisco, San Jose and Sacramento, as well as weekend service to Lake Tahoe and Las Vegas. Mr. Devlin asked for letters of support from the City to assist them in their acquisition of private and public funding and requested that this matter be put on a future agenda. Mayor Picanco suggested that an appointment be made with the City Manager to discuss this matter in greater detail.
- Pat Mackie asked Council to move Discussion Item No. 19 (SOAR Initiative item) to an earlier placement on the agenda to accommodate senior citizens in the audience.

**PRESENTATIONS & CELEBRATIONS - None**

**NOTICED HEARINGS**

**1. Rezone 00-002 (Gearhart)**

R. Lata, Community Development Director

To consider Rezone 00-002, an application to rezone an approximately 14-acre site located in the vicinity of the southwest corner of Union Road and Golden Hill Road from R1-B3 to R1-PD2 (adding a "PD" overlay with no increase in density/number of homes).

Mayor Picanco opened the public hearing. Speaking from the public were Doug Davidson (Cannon Associates) representing owner Kelly Gearhart, and Marie Payne. There being no further comments either written or oral, the public discussion was closed.

Councilmember Mecham, seconded by Councilmember Macklin, moved to adopt Resolution No. 00-130 granting a Negative Declaration status to Rezone 00-002. Motion passed by the following unanimous roll call vote:

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

Councilmember Mecham, seconded by Councilmember Macklin, moved to introduce and hold first reading of Ordinance No. XXX N.S. granting approval to amend the Zoning Code (Zoning Map), Zone Change 00-002, subject to standard and site specific development conditions, and set July 18, 2000, for adoption. Motion passed by the following unanimous roll call vote:

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

**2. Appeal of Tentative Tract 2376 and Planned Development 00-004  
(Applicant: Estrella Associates)**

R. Lata, Community Development Director

Consider an appeal filed by Estrella Associates of the Planning Commission's June 13, 2000, action to deny Planned Development 00-004 and Tentative Tract Map 2376.

Mayor Picanco opened the public hearing. Speaking from the public were Dick Willhoit, Pat Mackie, Marie Payne, Dale Gustin and Mike Menath. There being no further comments either written or oral, the public discussion was closed.

*Council adjourned for a 10-minute recess at 8:45 PM.*

Councilmember Baron, seconded by Councilmember Macklin, moved to adopt Resolution No. 00-131 approving a finding of project consistency with the Borkey Specific plan and its associated Environmental Documents and determine that no additional environmental analysis for this project is required; to adopt Resolution No. 00-132 granting approval of Tentative Tract Map 2376 subject to standard and site specific development conditions, with the provision that the developer shall provide 45 additional parking spaces and that CC&R's shall be structured so that they may not be modified without the City being a party to the approval process; and to adopt the Resolution No. 00-133 granting approval of Planned Development 00-004 subject to standard and site specific development conditions (including findings for exception to minimum development standards for the R-3 base zone for Neighborhood 9). Motion passed by the following roll call vote:

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

*Councilmember Baron stated that he had ex parte meetings on this matter with Dick Willhoit and Planning Commissioner Ralph McCarthy.*

*Councilmember Mecham stated that he had an ex parte meeting on this matter with Dick Willhoit.*

It was moved by Councilman Macklin, seconded by Councilmember Baron, to move Agenda Item No. 19 to follow Item No. 2. Motion passed by the following roll call vote:

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

**19. Submittal of the Certificate of Results of Examination of the Initiative Petition titled "City of Paso Robles Save Open Space and Agricultural Resources (Paso Robles SOAR) Initiative and November 2000 Election Resolutions**

D. Fansler, City Clerk

Take action on the Paso Robles SOAR Initiative and adopt election resolutions as required by the California Elections Code.

Mayor Picanco opened the public hearing. Speaking from the public were Tom Rusch, Chris Iversen, Pat Mackie, Dale Gustin and Jay Huebner. There being no further comments either written or oral, the public discussion was closed.

City Attorney referred to a meeting held earlier today with Tom Rusch, Chris Iversen and Pat Mackie. City Attorney Yang suggests a change in wording of the proposed measure for the resolution.

Councilmember Mecham, seconded by Councilmember Macklin, moved to adopt Resolution No. 00-148 adopting regulations for candidates for elective office pertaining to Candidates' Statements submitted to the voters at an election to be held on Tuesday, November 7, 2000. Motion passed by the following unanimous roll call vote:

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

Councilmember Mecham, seconded by Councilmember Macklin, moved to adopt Resolution No. 00-149 placing measure on the ballot, without alteration to the text of the measure, at the next statewide election occurring not less than 88 days after the date of the order (November 7, 2000), revising the ballot question of Measure O-00 to read *Shall the ordinance that would prohibit the City from providing urban services (defined as water and sewer services) or allowing urban uses outside a boundary that is generally the same as the City sphere of influence boundary (as the boundary existed on January 10, 2000), unless the extension of such urban services or uses is first approved by the voters, be adopted?* Motion passed by the following roll call vote:

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

Councilmember Mecham, seconded by Councilmember Macklin, moved to adopt Resolution No. 00-129 setting priorities for filing written arguments regarding a city measure and directing the City Attorney to prepare an impartial analysis, with the same wording change in the Ballot Measure as reflected in the above motion adopting Resolution No. 00-149, and authorizing any and all members of the City Council to file a written argument in favor or against City measure. Motion passed by the following unanimous roll call vote:

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

Councilmember Mecham, seconded by Councilmember Macklin, moved to adopt Resolution No. 00-149 calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 7, 2000, for the election of certain officers as required by the provision of the laws of the State of California relating to General Law cities and for the submission to the voters of a measure that would prohibit the extension of urban services or uses outside the City's Sphere of Influence boundary unless such extension or services or uses is first approved by the voters; to adopt Resolution No. 00-150 requesting the Board of Supervisors of the County of San Luis Obispo to consolidate a General Municipal Election to be held on November 7, 2000, with the statewide General Election to be held on the same date, and requesting the services of the San Luis Obispo County Clerk in conducting the election; and to adopt Resolution No. 00-151 providing for the filing of rebuttal arguments for City measures submitted at municipal elections. Motion passed by the following unanimous roll call vote:

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

City Manager Jim App suggested that a special meeting be held to discuss the question of whether to file an argument for or against the SOAR initiative. It was the general consensus of the Council to hold this meeting at 7:00 p.m., Wednesday, July 12<sup>th</sup>.

### **CONSENT CALENDAR**

Consent items were approved on a single motion by Councilmember Mecham, seconded by Councilmember Baron, with last paragraph on page 3-3 of Item No. 3 being corrected to reverse the ayes and nos, and Item No.15 being corrected to read *...disturbance of twenty-thousand or more square feet*, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with Items No. 3, 4, 5, 6, 7, 9, 11, 12, 13, 14 and 15 being passed unanimously and Items 8 and 10 approved by a 4-1 vote with Mayor Picanco abstaining, with the exception of Item No. 16 which was pulled for discussion.

Those items approved were as follows:

3. Approve City Council Minutes of June 20, 2000.  
D. Fansler, City Clerk

4. Approve Warrant Register.  
M. Compton, Administrative Services Director
5. Adopt Resolution No. 00-134 approving an amendment to the lease agreement with the Federal Aviation Administration for facilities at the Municipal Airport.  
J. App, City Manager
6. Adopt Resolution No. 00-135 approving various budget appropriations for the Paso Robles VCB incentive payment, contribution for North County Humane Society and various property appraisals.  
M. Compton, Administrative Services Director
7. Adopt Resolution No. 00-136 approving the contract with DMG Maximus for SB 90 mandated cost claiming services and authorize the Director of Administrative Services to execute said contract.  
M. Compton, Administrative Services Director
8. Adopt Resolution No. 00-137 approving an amendment to the franchise agreement with Paso Robles Waste Disposal to operate a residential curbside used oil collection program.  
M. Compton, Administrative Services Director
9. Adopt Resolution No. 00-138 approving an agreement for consultant services with Tartaglia Engineering for the design and construction management of improvement projects at the Municipal Airport.  
D. Esperanza, City Engineer
10. Adopt Resolution No. 00-139 awarding the contract for annual street maintenance, DPW Project No. 00-11, to Madonna Construction Company of San Luis Obispo and authorize execution of the contract.  
D. Esperanza, City Engineer
11. Adopt Resolution No. 00-140 accepting and approving the execution and recordation of the Final Map for PR 91-213 (Erskine).  
D. Esperanza, City Engineer
12. Adopt Resolution No. 00-141 approving the intention to vacate the unimproved portion of 20<sup>th</sup> Street (paper street) west of Olive and give notice of a time and place for a public hearing (August 1, 2000).  
D. Esperanza, City Engineer
13. Adopt Resolution No. 00-142 accepting and approving the execution and recordation of the Final Map and Subdivision Agreement for PR 93-087 (Gearhart); and adopt Resolution No. 00-143 annexing PR 93-087 as part of Sub-area 40 to the "Paso Robles Landscape and Lighting District No. 1" (Streets and Highways Code Sections 22500, et seq.).  
Esperanza, City Engineer
14. Adopt Resolution No. 00-144 authorizing acceptance of certain streets into the City-maintained mileage system; and adopt Resolution No. 00-145 authorizing the Notice of Completion to be filed, partial release of Performance Securities, and release of the Payment (Labor and Materials) Securities for Tract 1632-7 (Priske-Jones).  
Esperanza, City Engineer
15. Adopt Ordinance No. 795 N.S. by regular motion, ordering that the Ordinance be read by title only, then by separate motion adopting the Ordinance amending the zoning titles of the municipal code regarding pre-grading for areas of disturbance of ten-thousand or more square feet (Code Amendment 00-001).  
R. Lata, Community Development Director

Pulled for discussion was:

16. Adopt Resolution No. 00-146 rescinding Resolution No. 00-122, re-appropriating \$10,000 in 1997 Community Development Block Grant funds and awarding construction of CDBG-funded street improvements at 2650 Spring Street (Loaves and Fishes site) to the low bidder, Brinar Construction of San Luis Obispo.  
R. Lata, Community Development Director

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

Resolution No. 00-146 was approved unanimously on a single motion by Councilmember Mecham, seconded by Councilmember Macklin.

*Council adjourned for a 5minute recess at 11:25 PM.*

*It was the general consensus of the Council to move Agenda Item No. 26 to follow Item No. 16.*

#### **AD HOC COUNCIL BUSINESS**

26. Discuss possible Airport runway extension south.

Councilman Macklin brought to Council's attention that there is a potential conflict between one of the options under the Highway 46 East Corridor Study prepared by Omni-Means Engineers and the southward extension of the main runway of the municipal airport.

Mayor Picanco opened the public hearing. Speaking from the public was Matt Masia and Richard Morton. There being no further comments either written or oral, the public discussion was closed.

It was the consensus of the Council that letters be drafted to CalTrans, as well as legislators, expressing the City's opposition to the Hwy. 46 freeway alignment paralleling Dry Creek Road, and that further study be undertaken to consider the impacts of a northerly extension of the runway versus a southerly one.

*It was the general consensus of the Council to move Agenda Item No. 18 to follow Item No. 26.*

#### **PUBLIC DISCUSSION**

18. **Request to Remove Oak Tree at 820 26<sup>th</sup> Street**  
D. Esperanza, City Engineer

Consider allowing the removal of a 48-inch diameter oak tree located at 820 26<sup>th</sup> Street.

Mayor Picanco opened the public hearing. Speaking from the public were Mike Metcalf, Mike Menath and Marie Payne. There being no further comments either written or oral, the public discussion was closed.

Councilmember Baron, seconded by Councilmember Swanson, moved to adopt Resolution No. 00-147 approving the removal of a 48-inch diameter oak tree at 820 26<sup>th</sup> Street. 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 Baron and passed unanimously by voice vote to initiate a revision to the City's tree ordinance to make mandatory in future the inclusion of detailed arborist reports giving the reason behind the deterioration or death of any tree.

*Councilman Mecham stepped down from the dais and abstained from voting on Item No. 17 due to a possible conflict of interest.*

**17. Step School Compliance Status**

R. Lata, Community Development Director

Review status of property owner Bill Jacobson meeting Council's schedule for completion of requirements for the building located at 1142 13<sup>th</sup> Street.

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

It was moved by Councilman Macklin and passed unanimously by voice vote to write a letter to Bill Jacobson encouraging resolution of the outstanding issues in the immediate future.

*Councilman Mecham was reseated at the dais.*

**20. Salinas River Clearing**

D. Esperanza, City Engineer

Direct staff regarding the clearing of the Salinas River.

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

It was the general consensus of the Council to direct staff to submit a budget appropriation request for this project at the time a new Capital Improvement Program is developed in June 2002.