

MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL

Tuesday, July 18, 2000 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.

CLOSED SESSION

Deputy City Attorney Jon Seitz announced City Council's authority to go into closed session as stated in the agenda packet. Under discussion was one anticipated litigation; facts and circumstances not known to adverse party.

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.

PLEDGE OF ALLEGIANCE

INVOCATION

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

CLOSED SESSION REPORT

Deputy City Attorney Jon Seitz announced City Council's authority to go into closed session per Government Code §54956.9(b) to discuss one case of anticipated litigation. There was no reportable action on these items (subsequent to hearing of special meeting agenda was posted and Council will be considering litigation in closed session).

PUBLIC COMMENTS

- Bob Peterson summarized VFW expenditures of 4th of July Celebration and submitted reimbursement of \$212.17 for unspent funds.
- Pearl Munak thanked City Council for their involvement re Plymouth Congressional Church BBQ benefiting the motel voucher program.
- Jim Heggarty expressed his disappointment re Council's neutral stance on SOAR.
- Pat Mackie offered to educate public re SOAR Initiative.

Councilmember Swanson, seconded by Councilmember Macklin, moved to reverse the order of Agenda Nos. 12 and 22. Motion passed by the following unanimous roll call vote:

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

PRESENTATIONS & CELEBRATIONS – None

NOTICED HEARINGS

Councilmember Macklin stepped down from dais due to conflict of interest.

1. **Orchard Bungalow Assessment District**

J. App, City Manager

Consider disposition of the Orchard Bungalow Assessment District trust fund balance and status of a portion of the area's streets.

Mayor Picanco opened the public hearing. Speaking from the public were Roy Collier, Bob Atkinson, Dennis Palm, Mona Culver, Violet Schloetel, Steffany Lear, Kevin Peck, Doyle Forest, Rick Nicholson, Leanna Lara, Jim Heggarty, Ella Mae Butterfield, Jocko Cutter and Larry Werner. There being no further comments either written or oral, the public hearing was closed.

Councilmember Baron, seconded by Councilmember Swanson, moved to provide Orchard Bungalow Tract and adjacent area property owners the opportunity to circulate a petition in support of improving the substandard roads in the tract and surrounding areas to public street standards (as described, provided and conditioned in the staff report). Motion passed by the following roll call vote:

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

Council adjourned for a 20-minute recess at 9:00 p.m., and the public was invited to share cake in celebration of Mayor Picanco's birthday.

2. Zoning Code Amendment on Hillside Grading/Development (Code Amendment 2000-003, City-Initiated)

R. Lata, Community Development Director

Conduct a public hearing on a proposed zoning code amendment relative to hillside grading and development.

Mayor Picanco opened the public hearing. Speaking from the public were Larry Werner, Ken Lohr and Pat Mackie. There being no further comments either written or oral, the public hearing was closed.

Councilmember Mecham, seconded by Councilmember Macklin, moved to concur with the Planning Commission recommendations and by separate actions: (1) adopt Resolution No. 00-153 approving a negative declaration of environmental impact for the proposed Zoning Code amendment; and (2) introduce for first reading attached Ordinance No. XXX N.S., approving Zoning Code Amendment 2000-003, incorporating the Planning Commission's recommended refinements to the City's standards for hillside grading and development to apply to all projects not yet to be found complete and amending Paragraph H to include "sloping" with "grading", setting August 1, 2000, for second reading and adoption of attached Ordinance No. XXX N.S. Motion passed by the following unanimous roll call vote:

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

3. Code Amendment 00-002 (Yard Signs, City-Initiated)

R. Lata, Community Development Director

Open the noticed public hearing on this code amendment and continue the hearing and action until a subsequent scheduled meeting.

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

Councilmember Swanson, seconded by Councilmember Baron, moved to continue the open public hearing to the regularly scheduled City Council meeting of September 5, 2000. Motion passed by the following unanimous roll call vote:

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

CONSENT CALENDAR

Councilmember Macklin, seconded by Councilmember Swanson, moved to approve the Consent Calendar 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. 6, 8, 9, 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, Administrative Services Director
5. Adopt Ordinance No. 796 N.S. by regular motion, ordering that the Ordinance be read by title only, then by separate motion adopting the Ordinance amending the Zoning Code (Zoning Map) (Applicant – Kelly Gearhart).
R. Lata, Community Development Director
7. Adopt Resolution No. 00-155 awarding contract for PG&E lines undergrounding on Golden Hill Road to Pearce Services, Inc. (DPW Project No. 98-15).
D. Esperanza, Capital Improvements Engineer

Those items pulled for discussion were as follows:

6. Adopt Resolution No. 00-154 authorizing renewal of employee group health insurance plan contract with Lifeguard.
D. Fansler, Management Analyst
8. Adopt Resolution No. 00-156 authorizing usage of septic system at 2261 Almond Springs Road.
D. Esperanza, Capital Improvements Engineer
9. Accept recommendation re location of driveways for Kermit King Elementary School.
D. Esperanza, Capital Improvements Engineer
10. Adopt Resolution No. 00-157 approving and authorize the execution of contract to provide arbitrage rebate services.
M. Compton, Administrative Services Director
11. Adopt Resolution No. 00-158 approving budget appropriation for the City's membership/participation in the Economic Vitality Corporation business attraction/recruitment program.
M. Compton, Administrative Services Director

The pulled items were unanimously approved on a single motion by Councilmember Macklin, seconded by Councilmember Baron.

PUBLIC DISCUSSION

22. Oak Tree – 1925 Spring Street

R. Lata, Community Development Director

Provide staff with direction re potential damage to the subject oak tree.

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

Councilmember Baron, seconded by Councilmember Swanson, moved to direct staff to require the owner of property at 1925 Spring Street to amend plans to incorporate the oak tree mitigation measures identified by Jack Brazeal; and direct staff to send a letter to property owners of 1937 Spring Street requesting their cooperation and assistance to implement the recommended mitigation measure for where the oak tree extends into that property. Motion passed by the following unanimous roll call vote:

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

13. Disabled Transit Services

M. Compton, Administrative Services Director

Consider modifications in senior and disabled transit fare discounts.

Mayor Picanco opened the public hearing. Speaking from the public were Viola Hansen, Pat Mackie, Julie Chapman, Robin Renfro and Judy Jacobson. There being no further comments either written or oral, the public discussion was closed.

Councilmember Swanson, seconded by Councilmember Mecham, moved to direct staff and Transit Advisory Committee to develop options/ dissemination of costs and continue item to the regularly scheduled City Council meeting of September 5, 2000. Motion passed by the following unanimous roll call vote:

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

14. Economic Development – Paso Robles GMC

J. App, City Manager

Consider an economic development agreement with Paso Robles GMC Truck, Inc.

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

Councilmember Swanson, seconded by Councilmember Mecham, moved to approve the economic incentive agreement with Paso Robles GMC Truck, Inc., and authorize Mayor to execute the agreement. 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 11:15 PM

15. Resolution of Application – South Vine Street Annexation

R. Lata, Community Development Director

Consider approving a Resolution of Annexation and authorize the City to act as lead agency for the South Vine Street annexation.

Mayor Picanco opened the public hearing. Speaking from the public were Bill Dermotty and Pat Mackie. There being no further comments either written or oral, the public discussion was closed.

Councilmember Baron, seconded by Councilmember Swanson, moved to approve attached Resolution No. 00-159 authorizing the City to act as lead agency, based on the applicant paying all related costs (including LAFCO fees and the City's time and materials expenses);

Motion passed by the following unanimous roll call vote:

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

16. Resolution of Application – Southeast Sphere Amendment

R. Lata, Community Development Director

Consider approving Resolution of Application and authorizing City to act as lead agency for amendment to the city's Sphere of Influence of property located southeast of the city.

Mayor Picanco opened the public hearing. Speaking from the public were Larry Werner and Pat Mackie. There being no further comments either written or oral, the public discussion was closed.

Councilmember Mecham, seconded by Councilmember Baron, moved to approve the attached Resolution No. 00-160 authorizing the City to act as lead agency, based on the applicant paying all related costs including LAFCO fees and the City's time and materials expenses to process the application and complete the necessary studies to support the City's ability to service the subject area (per LAFCO policy/guidelines for Applications to Amend the Sphere of Influence). Motion passed by the following roll call vote:

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

17. Water Facilities – Capital Improvement Project

D. Esperanza, Capital Improvements Engineer

Consider accepting recommendation from Fiscal Policy Committee to add/revise projects to the *Water Facilities* portion of the adopted four-year Capital Improvement Program.

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

Councilmember Swanson, seconded by Councilmember Baron, moved to adopt Fiscal Policy Committee recommendation to revise the adopted CIP list for water projects as follows:

- 1) Add the following projects:
 - a) Direct staff to recommend to Weyrich Development to upgrade the Orchard Bungalow Booster Station as outlined in the Water Master Plan. The City would reimburse Weyrich for 39% of the construction costs and assist Weyrich in obtaining 18.4% of the cost from Shadow Canyon - Budget (City's share), \$160,000
 - b) Direct staff to construct water pipelines in Golden Hill Road and Rolling Hills Road as part of Weyrich Development's project and reimburse the developer for these pipelines from the budget appropriated with the water tank - Budget (addition), \$500,000
 - c) Installation of the water main in Airport Road south of Linne - Budget, \$25,000

(The above requests would add a total of \$685,000 to the current CIP Budget.)

- 2) Defer the construction of the waterline in 19th Street for the next Capital Project Funding Cycle (after June 2002) for a deduct of \$80,000.

- 3) Net addition to the CIP Budget is estimated to be \$605,000 as follows:

<u>Budgeted</u>		<u>Proposed Projects</u>
\$4,000,000.		Tank \$2,000,000.
<u>\$ 80,000.</u>		Booster Station \$ 160,000.
\$4,080,000.		GH Pipes \$2,500,000.
		Airport <u>\$ 25,000.</u>
		\$4,685,000.

Motion passed by the following unanimous roll call vote:

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

18. Water Master Plan

D. Esperanza, Capital Improvements Engineer

Accept a recommendation by the Fiscal Policy Committee to re-evaluate the priorities of the adopted Water Master Plan.

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

Councilmember Mecham, seconded by Councilmember Macklin, moved to accept the recommendation from the Fiscal Policy Committee and direct staff to obtain a fee proposal from Boyle Engineering to revisit the priority of projects recommended in the Water Master Plan and to prepare a siting plan to locate a 700,000-gallon water tank to serve the south end of the City in accordance to the Water Master Plan;

Motion passed by the following unanimous roll call vote:

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

19. 2000 San Luis Obispo Council of Governments (SLOCOG) Grants

D. Esperanza, Capital Improvements Engineer

Adopt a list of projects to be submitted to SLOCOG for the upcoming programming of the 2000 State Transportation Improvement (STIP) Grant.

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

Councilmember Swanson, seconded by Councilmember Mecham, moved to direct staff to apply for the 2000 STIP Grant with projects as noted in report, incorporating "South River Road" project with commitment of Woodland Project monies to match. Motion passed by the following unanimous roll call vote:

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

20. Municipal Airport Business Plan

J. App, City Manager

Consider engaging the aviation consulting firm of Black & Veatch to prepare an Airport Business Plan.

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

Councilmember Baron, seconded by Councilmember Swanson, moved to authorize City Manager to engage Black & Veatch using Measure D funds. Motion passed by the following unanimous roll call vote:

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

21. City Logo

D. Esperanza, Capital Improvements Engineer

Direct staff in the design of the City logo.

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

Councilmember Mecham, seconded by Councilmember Swanson, moved to adopt the Option C mock-up as the lettering style of the City logo to be incorporated in the Niblick Bridge Project. Motion passed by the following unanimous roll call vote:

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

12. Council Chamber Audio Equipment

G. Perruzzi, Interim Public Works Director

Direct staff re upgrade of the Council Chamber audio system.

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

Councilmember Mecham, seconded by Councilmember Baron, moved to continue item and direct staff to obtain additional bid for outdoor speakers. Motion passed by the following unanimous roll call vote:

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

CITY MANAGER

Request adding agenda item needing immediate action re new sidewalk/parkway installation on east side of Spring Street /18th and 19th Street. New installation (although consistent with Spring Street Improvement Master Plan) is inconsistent with present sidewalk/parkway dimensions causing misalignment of present sidewalk/parkway and new installation.

Councilmember Macklin, seconded by Swanson, moved to add above-referenced item to agenda subsequent to posting of agenda due to the need to take immediate action (Government Code Section 54954.2).

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

Direct staff to approve alternative installation.

Councilmember Macklin, seconded by Swanson, moved to direct City Manager/staff to ascertain impact re time/cost of alternative sidewalk/parkway to match existing sidewalk/parkway on blocks north and south of above-referenced site, offsetting increased costs since contractor was acting in good faith against an adopted plan approved by the City; and amend master plan for specific block at a later date matching blocks north and south/Willhoit property.

CORRESPONDENCE

- ❑ Councilmember Macklin requested status of 4/21 correspondence from Patrick Hedges re Animal Control; staff reported that report is forthcoming.
- ❑ Councilmember Macklin requested status of 7/3 disposal treatment plans re sulfur at Paso Robles Inn; staff reported that a long-term temporary permit (1 year) was granted while Carollo Engineers evaluated treatment options and established standards.
- ❑ Councilmember Macklin requested status of signal light installation by Paso Robles High School; staff responded that a traffic signal was planned at Creston/Nickerson and Nicholas in conjunction with NOVA.
- ❑ Councilmember Macklin requested status of petition re speed humps on Rambouillet/Moody; staff responded that item is slated to be heard by the Streets & Utilities Committee.

ADVISORY BODY COMMUNICATION

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

The Council, by general consensus, reappointed incumbents to 2-year terms and set interview dates for Senior Citizen Advisory Body applicants (in addition to Alternate Dale Gustin who submitted application as a *Regular Member*) for August 9, 2000, beginning at 7:00 p.m.

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

The Council, by general consensus, reappointed incumbents to 2-year terms and set interview dates for Parks and Recreation Advisory Body applicants for August 9, 2000, beginning at 7:00 p.m.

25. Parks and Recreation Advisory Committee Rules and Regulations

B. Partridge, Library & Recreation Services Director

Consider approving the revised and updated Rules and Regulations governing the Parks and Recreation Advisory Committee.

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

Councilmember Mecham, seconded by Councilmember Baron, moved to approve the revised and updated Rules and Regulations of the Parks and Recreation Advisory Committee with the revision of Section 9, *Communications*, to read: *All written communications to outside groups shall be under signature of Chair or Vice Chair and Library and Recreation Services Director.* Motion passed by unanimous voice vote.

26. Transit Advisory Committee – Recommended Bylaw Changes

M. Compton, Administrative Services Director

Consider approval of various changes to the bylaws of the Transit Advisory Committee.

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

Councilmember Mecham, seconded by Councilmember Swanson, moved to approve the recommendations submitted by the Transit Advisory Committee with exception of inclusion of the Mission Statement. Motion passed by unanimous voice vote.

27. Receive and file minutes for the following meetings:

- a. Housing Authority meeting of June 13, 2000
- b. Library Board of Trustees meeting of June 8, 2000
- c. Library Board of Trustees meeting of June 21, 2000

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

AD HOC COUNCIL BUSINESS - None

By unanimous voice vote, Council moved to adjourn from regular session at 12:31 a.m. and re-adjourn to closed session pursuant to Government Code §54957 to discuss a public employee performance evaluation and Government Code §54956.9 to discuss existing litigation. Council provided direction to City Negotiator. There was no reportable action and Closed Session was adjourned.

ADJOURNMENT: to THE REGULAR CITY COUNCIL MEETING ON TUESDAY, AUGUST 1, 2000, AT 7:30 PM IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Cindy Pilg, Deputy City Clerk
Approved: September 5, 2000