

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

Councilmember Mecham, seconded by Councilmember Swanson, moved to adopt Resolution No. 00-220 approving the removal of the multi-trunked cluster of Valley Oak trees as identified in the Environmental Impact Report prepared for "The Crossings at Paso Robles Center" and install replacement oak trees for each oak tree removed in a manner consistent with adopted City standards. Motion passed by the following roll call vote:

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

**23. Request to Remove Oak Trees - Tentative Tract 2369  
(Applicant: Montebello/Frank Arclero)**

D. Esperanza, City Engineer

Consider approving the removal of up to 31 oak trees varying in diameters from Tentative Tract 2369 which is a 250 single-family residential project located in the Union 46/Specific Plan.

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

Councilmember Swanson, seconded by Mayor Picanco, moved to adopt Resolution No. 00-xxx allowing the removal of up to 31 oak trees as part of the development of Tentative Tract 2369. Motion failed by the following roll call vote:

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

It was moved by Councilmember Baron, seconded by Councilmember Swanson, and passed by unanimous voice vote to reconsider this item at the next meeting of the Council on October 17<sup>th</sup>.

**CITY MANAGER** - None

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION**

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

- a. Parks & Recreation Advisory Committee meeting of June 13 and August 8, 2000.
- b. Senior Advisory Committee meeting of July 10, 2000.
- c. Youth Commission meeting of June 7, 2000.

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

**AD HOC COUNCIL BUSINESS**

*It was moved by Councilmember Swanson, seconded by Councilmember Mecham, and passed by unanimous voice vote to adjourn from regular session at 1:25 a.m., Wednesday, October 4, 2000.*

**ADJOURNMENT:** to THE STAFF BRIEFING ON TUESDAY, OCTOBER 10, 2000, AT 5:00 PM IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR ADJOURNED CITY COUNCIL MEETING ON THURSDAY, OCTOBER 12, 2000, AT 7:00 PM IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR CITY COUNCIL MEETING ON TUESDAY, OCTOBER 17, 2000, AT 7:30 PM IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:



Sharilyn M. Ryan, Deputy City Clerk  
Approved: October 17, 2000



# CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

## MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL

Tuesday, October 3, 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.

### CLOSED SESSION

City Attorney Iris Yang announced City Council's authority to go into closed session as stated in the agenda packet. Under discussion was the property sale of 801 4<sup>th</sup> Street and one existing litigation case.

*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**

City Attorney Iris Yang announced City Council's authority to go into closed session per Government Code §54956.9 to discuss one case of existing litigation. Also discussed per Government Code §54954.2(b) was the property sale of 801 4<sup>th</sup> Street, Paso Robles.

## **PUBLIC COMMENTS**

- Dennis Palm directed comments to the Orchard Bungalow Assessment District refunds and his disgruntlement over not receiving phone calls from Council after speaking at the September 19<sup>th</sup> meeting.
- Kathryn McClure spoke of her concern over the Paso Robles Soccer Club's use of the soccer fields near the airport in which their club has invested time and money. She expressed her hopes that there would be adequate soccer fields at the Barney Schwartz Park to accommodate the large number of soccer players in this growing sport.
- Stephanie Guerrero spoke about the no-parking signs posted on the west side of the road in the 2800 block of Park Street, leaving four homes on that side with no street parking available to them. Staff was directed to follow up on this matter.
- Susan Harvey, secretary for the Paso Robles SOAR Committee, questioned the appropriateness of monies from out-of-county development and building interests being used to sponsor campaigns against the local SOAR initiative.
- Jay Adams voiced her surprise that two councilmembers would support the Argument in Opposition to the SOAR initiative and opined that there were several inaccuracies in the Argument.
- Klaus Schumann found it offensive that two elected officials had signed the Argument in Opposition to the SOAR initiative. Mr. Schumann also questioned the integrity of organizations outside the community funding opposition to a local initiative.
- Rosie Flynn, Suzanne Kirkland, and Darlene Oeck from the Grapes of Wrath organization pinned badges on the Councilmembers and collected donations from them for Pioneer Day.
- Fred Rogers expressed his dissatisfaction over the recently approved airport negotiations with North American Jet Charter, Inc. He was invited to attend the public staff briefing on the airport contracts being held on October 10<sup>th</sup>.
- Dean Anderson, representing the AYSO soccer organization, gave a summary of the AYSO goals and activities.
- Charles Nunnely directed remarks to silt deposits accumulating in front of his house as a result of drainage due to construction in the area.

**PRESENTATIONS & CELEBRATIONS**

**1. “Voter Registration Week – October 2<sup>nd</sup> to October 10<sup>th</sup>”**

Julie Rodewald, County Clerk Recorder, accepted a proclamation from Mayor Picanco declaring the week of October 2<sup>nd</sup> to October 10<sup>th</sup> *Voter Registration Week*.

**1.1 Proclamation to Honor the Memory of Bob Alesi**

Police Chief Dennis Cassidy gave posthumous recognition to Bob Alesi, a volunteer at the Paso Robles Police Department.

**2. Special Recognition – Dolly Bader and Kermit King**

Council recognized Dolly Bader and Kermit King for their years of dedicated service to the community. Letters of recognition from President and Mrs. Bill Clinton, Senator Dianne Feinstein and State Governor Gray Davis were read aloud by Mayor Picanco and birthday wishes were extended. Dolly and Kermit will be celebrating their birthdays October 4<sup>th</sup>—90 years and 100 years, respectively.

**NOTICED HEARINGS**

Councilmember Baron, seconded by Councilmember Swanson, move to change the agenda order, moving Item No. 17 to follow Item No. 4. Motion passed on a 4-1 vote, Councilmember Mecham dissenting.

**3. Appeal of Tentative Tract 2369 and Planned Development 00-003 (Applicant: Montebello/Frank Arciero)**

R. Lata, Community Development Director

Consider an appeal filed by Frank Arciero of certain conditions of approval associated with Tract 2369 and Planned Development 00-003.

Mayor Picanco opened the public hearing. Speaking from the public were Steve Sylvester (representing the applicant), Dennis Moresco (developer of property on the east side of the applicant’s property), Mike Toohey (Weyrich Development), Mike Menath, and Dale Gustin. There being no further comments either written or oral, the public hearing was closed.

*Councilmember Baron stated for the record that he had two ex parte telephone conversations with Mike Toohey (Weyrich Development) on October 2<sup>nd</sup>.*

Councilmember Mecham, seconded by Councilman Swanson, moved to (1) adopt Resolution No. 00-207 upholding the Planning Commission’s action and approving the finding of environmental consistency with the Specific Plan and its EIR; (2) adopt Resolution No. 00-208 upholding the Planning Commission’s action and approving Planned Development 00-003 subject to standard and site specific conditions; and (3) adopt Resolution No. 00-209 upholding the Planning Commission’s action and approving Tentative Tract Map 2369 subject to standard and site specific conditions.

Motion passed by the following roll call vote:

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

Councilmember Macklin, seconded by Councilmember Mecham, moved to authorize staff to meet with developers Dennis Moresco, Mike Toohey and Steve Sylvester to determine a way to resolve the issue of undergrounding on the two tracts next to the applicant's property, including financial participation by the City using Rule 20 monies. Motion passed by the following unanimous roll call vote:

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

**4. Establishing Undergrounding Districts for Overhead Utilities**

Doug Monn, Building Official

Review resolution establishing two (2) undergrounding districts within the City.

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

Councilmember Baron, seconded by Councilmember Swanson, moved to approve the Resolution No. 00-210 establishing Undergrounding District Areas #1 and #2, thereby allowing the work to be accomplished using Rule 20 funds. Motion passed by the following roll call vote:

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

*Council adjourned for a 10-minute recess at 9:15 PM.*

**17. Emergency Services Growth Management Plan**

D. Hamp, Chief of Emergency Services

Consider findings and recommendations of the Emergency Services Growth Management Plan.

Council stepped down from the dais during the Power Point presentation.

Mayor Picanco opened the public hearing. Speaking from the public were Joe Parrott, Donald Antoine, Jeff Zimmerman, John Prickett, David Kudija, Jerry Reneau, George Finigan, and Katherine Barnett. There being no further comments either written or oral, the public discussion was closed.

Councilmember Baron, seconded by Councilmember Swanson, moved to make it the objective of the City to achieve a 4-minute response time to fire calls and emergency medical requests for service, and to put the question to the public by sending out questionnaires within 90-120 days asking the City residents to choose which of various financing options should be put in place to fund the Emergency

Services Department for meeting this level of service. 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 Councilman Mecham and approved unanimously to keep the Emergency Services Growth Management Plan Advisory Committee in place until this matter is concluded.

### **CONSENT CALENDAR**

Councilmember Mecham, seconded by Councilmember Macklin, moved to approve the Consent Calendar, waiving the reading of resolutions and ordinances in full, with the exception of Items No. 7, 8, 9, 12, 14 and 16, which were pulled for discussion.

Those items approved were as follows:

5. Approve City Council Minutes of September 5 and 19, 2000.  
D. Fansler, City Clerk
6. Approve Warrant Register.  
M. Compton, Administrative Services Director
10. Adopt Resolution No. 00-212 accepting and approving the execution and recordation of the final map for PR 99-068 (Jerry Handley).  
D. Esperanza, City Engineer
11. Adopt Resolution No. 00-213 accepting and approving the execution and recordation of the Final Map and Subdivision Agreement for Tract 2281-2 and Resolution No. 00-215 annexing Tract 2281-2 as part of the Landscape and Lighting District.  
D. Esperanza, City Engineer
13. Adopt Resolution No. 00-217 granting permission to file development applications in advance of preparing Airport Specific Plan (Viborg).  
R. Lata, Community Development Director
15. Authorize participation of the Paso Robles Public Library in the Gold Coast Library Network, Region VII of the Library of California.  
B. Partridge, Library & Recreation Services Director

Those items pulled for discussion were as follows:

7. Approve a \$500 cash bond posted by David Stearns, the new owner of the Oaks Card Parlour.  
M. Compton, Administrative Services Director  
  
Mayor Picanco opened the public hearing. There being no comments either written or oral, the public discussion was closed.
8. Adopt Resolution No. 00-211 appropriating \$40,000 from Water Fund to Budget No. 600-310-5224-165 and direct staff to enter into a Consultant Services Agreement with Boyle

Engineering for a not-to-exceed fee of \$33,900 for a Reservoir Siting Study, south end of City.

J. Deakin, Public Works Director

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

9. Accept Streets and Utilities Committee and direct staff to install two speed humps at Rambouillet between Moody & Evert Courts; and approve additional appropriation of \$4,000 to the Street Division Budget No. 100-310-5212-162.

J. Deakin, Public Works Director

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

12. Adopt Resolution No. 00-214 requesting the Local Agency Formation Commission to initiate proceedings for the annexation of territory to the City (South Vine Street Annexation).

R. Lata, Community Development Director

Mayor Picanco opened the public hearing. Speaking from the public were Ann Nash, Bill Dermody, Carolyn Snow and Jim Claassen. There being no further comments either written or oral, the public discussion was closed.

14. Adopt Resolution No. 00-216 accepting negotiated exchange of property tax revenue and annual tax increment between the County of San Luis Obispo and the City for the South Vine Street Annexation (Annexation No. 79).

R. Lata, Community Development Director

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

Councilmember Swanson, seconded by Councilmember Macklin, moved to approve the pulled Items No. 7, 8, 9, 12 and 14 on a single motion. Items No. 7, 8, 9 and 14 passed unanimously. Item No. 12 was approved by a 4-1 vote with Councilmember Mecham dissenting.

*Council adjourned for a 20-minute recess at 11:30 p.m., and the public was invited to share cake in celebration of Councilmember Mecham's birthday.*

16. Adopt Resolution No. 00-218 approving an amendment to the City Manager's contract: a base salary of \$109,000 per year plus an additional \$6,000 for a one year period for Economic Development Services.

J. Seitz, Deputy City Attorney

Mayor Picanco opened the public hearing. Speaking from the public were Michael Kane and Jim Heggarty. 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. 00-218 approving a base salary of \$109,000 per year, plus an additional \$6,000 for a one year period for Economic Development Services. Motion passed by the following roll call vote:

AYES: Baron, Macklin and Swanson

NOES: Mecham and Picanco  
ABSTAIN: None  
ABSENT: None

## **PUBLIC DISCUSSION**

### **18. Barney Schwartz Park – Program Operation Options**

B. Partridge, Library and Recreation Services Director

Consider program operation alternatives for Barney Schwartz Park.

Mayor Picanco opened the public hearing. Speaking from the public were Don LaVallee, Kathryn McClure and Dean Anderson. There being no further comments either written or oral, the public discussion was closed.

Councilmember Macklin, seconded by Councilmember Swanson, moved to direct staff to develop and refine a combination of Options 2 and 3 for further consideration. Motion passed by the following unanimous roll call vote:

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

### **19. Kermit King Elementary School Playing Fields – Public Park Facilities**

J. App, City Manager

Consider funding the construction of public restrooms and parking adjacent to Kermit King Elementary School playing fields.

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

Councilmember Macklin moved to continue this item to a future meeting. Motion failed due to lack of a second.

*Councilmember Baron stated for the record that he had an ex parte meeting earlier in the day with Dick Willhoit.*

Councilmember Swanson, seconded by Councilmember Baron, moved to authorize the use of up to \$200,000 of Park Development Funds for the design and construction of public parking and restroom facilities at Kermit King Elementary School, and direct the City Manager to work with PRUSD to develop an addendum to the PRUSD/City Joint Use Agreement to address access to and responsibility for maintenance/operation of the KKES playing fields and related facilities.

Motion passed unanimously on a 5-0 vote, with Councilmember Mecham's approval being contingent upon the Paso Robles Unified School District accepting responsibility for maintenance of the facilities.

*Councilman Macklin excused himself and departed the meeting.*

**20. Senior/Vets (Planned Development 00-014 and Conditional Use Permit 00-011)**

R. Lata, Community Development Director

Consider and comment on the final conceptual design of the senior/vets buildings in the capacity of property owner, allowing the project to move forward on its current design schedule.

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

Councilmember Baron, seconded by Councilmember Mecham, moved to direct that the project design team proceed with the preparation of the final design and construction drawings consistent with the final preliminary design approved by the Planning Commission via PD 00-014 and CUP Permit 00-011 on September 12, 2000. Motion passed by the following roll call vote:

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

**21. Economic Incentive Agreement – JIT Corporation**

R. Lata, Community Development Director

Consider a financial assistance proposal for JIT Corporation.

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 Resolution No. 00-219 approving the Economic Development Agreement between the City of El Paso de Robles and JIT Manufacturing with the economic incentives recommended by the Council's Fiscal Committee; and authorize the Mayor and City Clerk to execute the Agreement. Motion passed by the following roll call vote:

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

**22. Request for Removal of Oak Trees Previously Addressed in Environmental Impact Report for "The Crossings at Paso Robles" (Applicant: Ellis Partners)**

R. Lata, Community Development Director

Consider a request to remove a grouping of oak trees located in the parking area for new commercial construction.