

# **CITY COUNCIL MINUTES**

**Tuesday, March 1, 2005 7:30 PM**

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL  
CONFERENCE CENTER, 1000 SPRING STREET**

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## **7:30 PM – CONVENE REGULAR MEETING**

**CALL TO ORDER** – Downstairs Conference Center

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL** Councilmembers Jim Heggarty, Gary Nemeth, Duane Picanco, Fred Strong, and Mayor Frank Mecham

## **PUBLIC COMMENTS**

- Chester Zinn submitted a letter to Council regarding requests for action pertaining to the J.M. Wilson Development, Tract No. 2611.
- Diane Kelley, Member of the Board of Trustees for the San Luis Obispo Red Cross, expressed appreciation to Council for their support of the Red Cross and for including a proclamation for *Red Cross Month – March 2005* in tonight's agenda.
- Lana Adams, Boys & Girls Club, submitted documents for Council review providing background on the Club and an overview of income and expenditures.
- Kathy Barnett queried Council about spraying going on in some areas of the City.

## **AGENDA ITEMS TO BE DEFERRED (IF ANY)**

City Manager Jim App announced that Agenda Item No. 1 is recommended for continuance to March 15, 2005.

**PRESENTATIONS - None**

**PUBLIC HEARINGS**

**1. Code Amendment 05-002 (Multi-family Design Guidelines)**

R. Lata, Community Development Director

Consider opening and continuing a noticed public hearing regarding a proposed Zoning Code Amendment regarding design guidelines for multi-family residential development.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral.

Councilmember Heggarty, seconded by Councilmember Strong, moved to open and continue the noticed public hearing regarding Code Amendment 05-002 to March 15, 2005.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES: None  
ABSTAIN: None  
ABSENT: None

**2. Revised Schedule A - Development Impact Fees for Borkey Area Specific Plan Subarea "D" for La Quinta Project (Arciero)**

R. Lata, Community Development Director

Consider a revised schedule of development impact fees for Subarea "D" of the Borkey Area Specific Plan (BASP) to establish fees for the La Quinta Hotel project. (Since its initial adoption, the BASP Development Impact Fees have been amended to address new land uses added to the Specific Plan. This current fee update is to establish fees for the approved La Quinta Hotel project at the northeast corner of Buena Vista and Highway 46 East. These revisions ensure that costs are properly apportioned amongst the properties that benefit from [or are served by] the public improvements and infrastructure.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to adopt Resolution No. 05-039 establishing and adopting a Revised Schedule of Fees for the Borkey Area Specific Plan.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES: None  
ABSTAIN: None  
ABSENT: None

## CONSENT CALENDAR

Consent Calendar Items Nos. 3 – 13 were unanimously approved on a single motion by Councilmember Nemeth, seconded by Councilmember Strong, with Councilmember Picanco abstaining on Warrant Register Items Nos. 053345, 053367, 053369, 053370, 053428, 053551, 053555, and 053596 and Mayor Mecham abstaining on Nos. 053586 and 053399 due to possible conflicts of interest.

3. Approve City Council minutes of February 12 and 15, 2005  
D. Fansler, City Clerk
4. Approve Warrant Register: Nos. 53303 – 53411 (2/11/05) and 53412 – 53611 (2/18/05)  
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:  
Airport Advisory Committee meeting of December 9, 2004  
Parks & Recreation Advisory Committee meeting of January 11, 2005  
Pioneer Museum Board meeting of January 13, 2005  
Senior Citizen Advisory Committee meeting of January 10, 2005  
Youth Commission meeting of January 5, 2005
6. Proclamation Red Cross Month – March 2005  
F. Mecham, Mayor
7. Read, by title only, and adopt Urgency Ordinance No. 894 N.S. authorizing an amendment to the contract between the City of el Paso de Robles and the Board of Administration of the California Public Employees' Retirement System. (The current PERS contract for the P.O.A. is a 2% at 50-years formula. The Memorandum of Understanding with the City calls for an amendment to a 3% at 50 years formula by April 1, 2005. The current PERS contract for the Miscellaneous group is 2% at 55 years. The Memorandum of Understanding between the City and these labor groups calls for an amendment to a 2.5% at 55 years formula by April 1, 2005.) 1ST READING FEBRUARY 1, 2005  
M. Williamson, Assistant to the City Manager
8. Read, by title only, and adopt Ordinance No. 895 N.S. amending the Zoning Title of the Municipal Code to approve a Zoning Map Change for Rezone 04-011 (Linne Road Annexation Area – Annexation No. 88) establishing a pre-zone pattern consistent with the General Plan, which provides for RSF-6 on the Paso Robles Vineyard property and RMF-9 on the "Our Town" property. (The proposed annexation area includes approximately 31 acres, with 59 parcels and multiple property owners. It is located in the unincorporated County area east of the City, north of Linne Road, and generally east of a northward extension of Airport Road. Pre-zoning of the subject property is a step in the annexation process. The annexation proposal is consistent with, and was anticipated in, the City's General Plan update of December 2003. There is no development proposed at this time.) 1ST READING FEBRUARY 15, 2005  
R. Lata, Community Development Director
9. Adopt Resolution No. 05-040 accepting recordation of Parcel map PR 04-0053; and adopt Resolution No. 05-041 annexing Parcel Map PR 04-0053 into the Landscape and Lighting District. (Applicant: Mike Harrod. This 4-lot residential subdivision is located at the southwest corner of Larkfield Place and Oriole Way. PD 04-0053 was approved by the Planning Commission in June 2004 with the condition that the property be annexed into the Landscape and Lighting District. The applicant has signed a petition and voted in favor of the annexation.)  
R. Lata, Community Development Director

10. Adopt Resolution No. 05-042 accepting the public improvements of Tract 2391 into the City's maintenance system. (This 8-lot residential subdivision is located on Beechwood Drive between Meadowlark Road and Creston Road. The public improvements in Tract 2391 have been completed to the satisfaction of City staff.)  
R. Lata, Community Development Director
11. Adopt Resolution No. 05-043 annexing PD 02-008 into the Landscape and Lighting District. (The Jiffy Lube store is located on the east side of South River Road, just south of Niblick Road. PD 02-008 was approved by the Planning Commission on January 14, 2003, with the condition that the property be annexed into the Landscape and Lighting District. Applicants have signed a petition and voted in favor of the annexation.)  
R. Lata, Community Development Director
12. Adopt Resolution No. 05-044 accepting the recordation of Parcel Map PR 04-0311, a 2-lot residential subdivision located at the southwest corner of 30<sup>th</sup> and Oak Streets. (PPR 04-0311 was tentatively approved by the Planning Commission in September 2004, and all conditions imposed have been completed to the satisfaction of City staff.)  
R. Lata, Community Development Director
13. Adopt Resolution No. 05-045 authorizing the City Manager to enter into a construction contract with Lee Wilson Electric Co., Inc., for \$179,300 to install a new traffic signal at 24<sup>th</sup> and Vine Streets, under Budget No. 214-910-5452-525. (Bids for construction were advertised and at the bid opening of February 17, 2005, one bid was received. The bid was found to be responsive.)  
D. Monn, Interim Public Works Director

## DISCUSSION

14. **Request to Remove One Oak Tree – 2503 Starling Drive (Roger & Patricia Greene)**  
R. Lata, Community Development Director

Consider a request to remove one 40-inch White Oak tree at 2503 Starling Drive. (The tree is located in the rear yard of the applicants' property. The arborist report concluded that the tree appears to be 50-percent dead and most likely will not survive.)

Mayor Mecham opened the public hearing. Speaking from the public were Chip Tamagni (arborist), Roger Green (property owner), Mike Menath, and Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to adopt Resolution No. 05-046 approving the removal of one 40-inch White Oak tree at 2503 Starling Drive based on the Arborist Report identifying that the tree is in poor health; and that replacement trees are not required, based on the tree's decline not being the fault of the current property owners. Mayor Mecham that staff develop a standardized arborist report.

Motion passed by the following unanimous roll call vote:

AYES:	Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:	None
ABSTAIN:	None
ABSENT:	None

**15. Mid-year Budget Report – Fiscal Year 2005**

M. Compton, Administrative Services Director

A presentation of the Mid-year Budget Report for Fiscal Year 2005. (The City's Fiscal Policy provides that there will be a semi-annual review of the budget with projections of revenues and expenditures through the end of the fiscal year.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Strong, moved to receive and file the Mid-year Budget Report for Fiscal Year 2005.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES: None  
ABSTAIN: None  
ABSENT: None

**16. Council Goals for Fiscal Years 2006-2009**

J. App, City Manager

Consider confirming top goals for fiscal years 2006-2009. (Every two years, the City Council adopts goals. On February 12<sup>th</sup>, Council developed and ranked a list of 22 goals. Goal development was the result of individual Councilmember suggestions, public input, and public discussion.)

Mayor Mecham opened the public hearing. Speaking from the public were Kathy Barnett and Tom Hardwick. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Strong, moved to confirm and adopt goals for fiscal years 2006-2009.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES: None  
ABSTAIN: None  
ABSENT: None

**17. North County Transit Study**

M. Compton, Administrative Services Director

Consider a formal position on North County Transit Study implementation. (The San Luis Obispo Council of Governments [COG] commissioned a study of transit services in the North County. Council appointed an ad hoc committee to review the Study and provide feedback to the full Council.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Strong, moved to direct staff to prepare a communication to the Council of Governments supporting the pursuit of the following activities relative to the North County Transit Study:

1. Continue discussions with the City of Atascadero to determine if the “super loop” option could be implemented. This entails resolving their concerns relative to fare revenues and fare counts; and
2. Work with all other appropriate transit providers to make Route 9 more “express,” including but not limited to Paso, providing transit services to Templeton and/or San Miguel; and
3. Work with all other appropriate transit providers to eliminate route redundancy; and
4. Work with all other appropriate transit providers to develop a common fare structure.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES: None  
ABSTAIN: None  
ABSENT: None

## **18. Art in Public Places**

B. Partridge, Library & Recreation Services Director

Consider a Visual Art in Public Places policy and program. (In conformity with the General Plan, the Parks and Recreation Advisory Committee endorses the concept that visual art enhances the aesthetic environment of a community and recommends that the Council adopt a policy and funding mechanism for art in public places.)

Mayor Mecham opened the public hearing. Speaking from the public was Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Nemeth, moved to introduce for first reading Ordinance No. xxx N.S. adopting Chapter 3.21 regarding a visual arts in public places program; and set March 15, 2005, as the date for second reading.

Motion passed by the following roll call vote:

AYES: Heggarty, Nemeth, and Strong  
NOES: Picanco and Mecham  
ABSTAIN: None  
ABSENT: None

**19. Budget Appropriation for Bus Stop Shelters**

M. Compton, Administrative Services Director

Consider approval of a \$10,000 appropriation for two bus shelters. (The City has received requests from homeowners in the Sierra Bonita area to add a shelter to the City-installed bench and trash receptacle already in place. Additionally, the current shelter on Stoney Creek Road is in poor condition and cannot be repaired.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong suggested a future meeting devoted solely to transit in the City.

Councilmember Picanco, seconded by Councilmember Strong, moved to adopt amended Resolution No. 05-047 approving a budget appropriation for \$13,500 from the Transit Operations Fund to purchase two bus shelters with lighting.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES: None  
ABSTAIN: None  
ABSENT: None

*Council adjourned for a 5-minute break at 9:07 p.m.*

**20. Workforce Housing Grant Application**

R. Lata, Community Development Director

Consider authorizing submittal of a Grant Agreement for the State's Workforce Housing Reward (WFH) Program and prioritization of eligible projects to be accomplished or assisted with WFH funds. (Under the umbrella of 2002 Proposition 46 and through the Department of Housing and Community Development, the State is offering non-competitive grants to qualifying jurisdictions under the WFH reward program. Projects to be funded and/or assisted with WFH funds must be completed within 3 years.)

Mayor Mecham opened the public hearing. Speaking from the public was Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Nemeth, moved to:

- (1) Adopt Resolution No. 05-048 authorizing the City Manager to execute a grant agreement for WFH funds; and
- (2) Prioritize eligible projects to be accomplished or assisted with up to \$135,500 in WFH funds as follows: Project 1: Installation of in-roadway signalized crosswalk system across Spring Street at 34<sup>th</sup> Street; Project 2: Install in-roadway signalized crosswalk system across Spring Street at 17<sup>th</sup> Street; Project 4 – Install AC paving, curbs, gutters, sidewalk on one side on Vine Street between Marion Avenue and 36<sup>th</sup> Street; and Project 3: Install PCC sidewalks adjacent to Fairgrounds parking lot on west side of Riverside Avenue, between 21<sup>st</sup> and 24<sup>th</sup> Streets.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES: None  
ABSTAIN: None  
ABSENT: None

**21. 21<sup>st</sup> Street Tank Site Property Development Plan**

M. Williamson, Assistant to the City Manager

Consider a master plan for the development of the 21<sup>st</sup> Street Water Tank site and adjacent surplus property. (The 21<sup>st</sup> Street Reservoir was built in 1925. Council determined in 2004 that the Reservoir had reached the end of its useful life, and Boyle Engineering was engaged to design a replacement. Based on the preliminary design work to date, a master plan for the replacement of the Reservoir and dispensation of surplus property may be appropriate.)

Mayor Mecham opened the public hearing. Speaking from the public were Mike Menath, Cindy Stevens, and Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to endorse the 21<sup>st</sup> Street Reservoir Master Plan to (1) construct the replacement of the existing (21<sup>st</sup> Street) tank at such time as the Ladera tanks are complete; and (2) proceed with surplus property subdivision map design to create individual lots (for sale) once the replacement tanks have been constructed.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES: None  
ABSTAIN: None  
ABSENT: None

**22. Lease Amendment – Estrella Warbird Museum**

M. Williamson, Assistant to the City Manager

Consider amending the lease agreement with Estrella Warbird Museum, Inc., at the Municipal Airport. (A provision of the Airport Master Plan adopted in November 2004 imposed a new building restriction line across a portion of the Museum lease site, rendering that area no longer usable for future building construction. The Museum requested consideration of the addition of adjacent land to the east of their existing lease [outside of the building restriction area]. Council's ad hoc committee recommended an appropriate lease amendment be drafted for Council consideration.)

Mayor Mecham opened the public hearing. Speaking from the public was Chuck Miller. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to adopt Resolution No. 05-049 approving an amendment to the Airport Lease with the Estrella Warbirds Museum, Inc.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES: None  
ABSTAIN: None  
ABSENT: None

**23. Payoff Airport Promissory Note with General Fund**

M. Compton, Administrative Services Director

Consider early retirement of promissory note due the General Fund from the Airport Operations Fund. (During the presentation of the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2004, it was reported that the continuing improvement of cash balances in the Airport Operations Fund provided an opportunity to retire this internal debt early.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Strong, moved to authorize early repayment of the outstanding balance of the Airport Promissory Note.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES: None  
ABSTAIN: None  
ABSENT: None

**CITY MANAGER**

**24. Schedule Date for Applicant Interviews/Appointments – Housing Authority**

J. App, City Manager

Select date for conducting interviews and making appointments for vacancies on the Housing Authority.

1 vacancy – 4-year “at large” term, expiring February 28, 2009

APPLICANTS

Pearl Munak

1 vacancy – 4-year “resident” term, expiring February 28, 2009

APPLICANTS

Arminda Cabel

Andres Perales

It was the consensus of Council to appoint Councilmembers Nemeth and Strong to an ad hoc committee to interview applicants and report back to the full Council at the next earliest Council meeting their recommendations for appointments to the Housing Authority.

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION** - None

### **AD HOC COUNCIL BUSINESS**

**25. Olsen Ranch – Beechwood Area Specific Plan and Environmental Impact Report - Ad Hoc Committee Formation**

R. Lata, Community Development Director

Consider appointing an ad hoc committee to review bid proposals and interview consultant teams to prepare the Olsen Ranch – Beechwood Area Specific Plan and Environmental Impact Report.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

It was the consensus of Council to appoint Councilmember Nemeth and Strong to an ad hoc committee to work with staff to select the most qualified consultant team to prepare the Olsen Ranch – Beechwood Area Specific Plan and EIR, provide guidance through its completion, and reporting back to the full Council by October 15, 2006.

**26. Creston Road Master Plan - Ad Hoc Committee Formation**

D. Monn, Interim Public Works Director

Consider appointing an ad hoc committee to review bid proposals and interview consultants to prepare a Plan Line for Creston Road, from Capitol Hill to Rolling Hills.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

It was the consensus of Council to appoint Councilmembers Heggarty and Picanco to an ad hoc committee to work with staff in selecting an engineering firm to prepare a Plan Line for Creston Road, from Capitol Hill to Rolling Hills, and report back to the full Council by December 20, 2005.

*Council moved to adjourn from regular session at 9:40 PM. Motion passed by unanimous voice vote.*

**ADJOURNMENT:** to THE COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC HEARING AT 7:00 PM ON THURSDAY, MARCH 3, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, MARCH 15, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

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Sharilyn M. Ryan, Deputy City Clerk  
Approved: March 15, 2005