

CITY COUNCIL MINUTES

Tuesday, August 2, 2005 7:30 PM

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

PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK

7:30 PM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Center

PLEDGE OF ALLEGIANCE

INVOCATION

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

PUBLIC COMMENTS

- Norma Moyer invited the public to attend a free pancake breakfast in the Downtown City Park on Thursday, August 4th, beginning at 7:30 a.m. The California Mid-State Fair, El Paso de Robles Grange, and Paso Robles Main Street Association sponsor this event.
- Kathy Barnett cited several instances where it appears there may be violations of the City's Sign Ordinance, specifically business banners being left on buildings past the time allowed by Code. She suggested that Code Enforcement be vigilant in enforcing the removal of these signs and banners.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

City Manager Jim App announced that Agenda Item No. 18 is being recommended for continuance to September 6, 2005.

PRESENTATIONS - None

PUBLIC HEARINGS

- 1. Determination of Historic or Architectural Significance of Residential Building at 733 23rd Street & a Request to Process Pending Demolition Permit Application (Demolition 05-004 – Applicant: First Mennonite Church)**
R. Lata, Community Development Director

Consider historic or architectural significance of a residential building at 733 23rd Street to permit the expansion of the outdoor playground for the pre-school and authorizing a demolition permit. (Applicant: Robert Toevs on behalf of the First Mennonite Church. Although subject building is in the City's Historic Resources Inventory, it is not on any local or State Register of historic structures.) CONTINUED FROM JULY 19, 2005

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

Councilmember Picanco, seconded by Councilmember Strong, moved to (1) adopt Resolution No. 05-147 adopting a Negative Declaration, pursuant to the requirements of the Guidelines for implementing the California Environmental Quality Act (CEQA) and; (2) direct that the demolition permit application be processed. Any replacement structure(s) will be the subject of a future applicable building code and public policy requirements as may apply at the time of a request for project approval.

Motion passed by the following roll call vote:

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

- 2. Zone Change 05-001 and SPA 05-002 – Zoning Map Amendment and Specific Plan Amendment, 1640 Kleck Road (APN 025-011-024)**
R. Lata, Community Development Director

Consider rezoning property at 1640 Kleck Road from Residential Single Family R-1 B-4 (which allows one dwelling unit per acre) to R-1 B-3 (which allows two dwelling units per acre). (This code amendment will provide consistency between the General Plan Land Use Map, City Zoning Map, and Union/46 Specific Plan. A development project is not proposed at this time. The Planning Commission recommends approval.)

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

Councilmember Strong, seconded by Councilmember Picanco, moved to introduce for first reading Ordinance No. XXX N.S. to bring the zoning of the subject property into conformity with the General Plan and amend the Union/46 Specific Plan in a manner consistent with the General Plan; and set August 16, 2005, as the date for adoption of said Ordinance.

Motion passed by the following roll call vote:

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

CONSENT CALENDAR

Consent Calendar Items Nos. 3 – 5 and 7 - 16 were unanimously approved on a single motion by Councilmember Strong, seconded by Councilmember Picanco; with Councilmember Picanco abstaining on Warrant Register Items Nos. 056400, 056401, and 056517.

3. Approve City Council minutes of July 14 and 19, 2005
D. Fansler, City Clerk
4. Approve Warrant Register: Nos. 56284 – 56445 (7/15/05) and 56446 – 56551 (7/22/05)
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:
Library Board of Trustees meeting of June 9, 2005
Parks & Recreations Advisory Committee meeting of June 14, 2005
Senior Citizen Advisory Committee meeting of June 13, 2005
7. Adopt Resolution No. 05-148 allocating the City's 2005 Community Development Block Grant (CDBG) funds. (Council adopted resolutions in March determining which activities were to be funded with the City's 2005 CDBG funds. The City now needs to make appropriations for the projects.)
R. Lata, Community Development Director
8. Adopt Resolution No. 05-149 awarding the purchase of 16,800 pounds of Pulsar Plus Briquettes to low-bidder Knorr Systems, Inc. for \$34,270.04. (Two bids were received on July 14, ranging \$34,270.04 to \$39,396.36. The low bid submitted by Knorr Systems was reviewed and found to be responsive.)
D. Monn, Interim Public Works Director
9. Adopt Resolution No. 05-150 approving promissory notes for all specific plan advances. (Council has advanced General Fund monies for the preparation of Chandler Ranch and Olsen/Beechwood Specific Plans and requires repayment with interest. Establishing an interest bearing promissory note between the General Fund and specific plan funds is appropriate.)
M. Compton, Administrative Services Director
10. Adopt Resolution No. 05-151 setting an ad valorem tax rate beginning July 1, 2005, to pay debt service on general obligation bonds. (In June 1998, Paso Robles voters authorized the sale of \$38 million in general obligation bonds. Annual debt service requirements for these bonds are funded from the levy of an ad valorem property tax. The tax rate must be re-set annually by Council resolution.)
M. Compton, Administrative Services Director

11. Adopt Resolution No. 05-152 authorizing acceptance of grant funding from the Federal Aviation Administration (FAA) for airport improvements. (Council previously approved a combined capital improvement project to provide rehabilitation to 1.9 million square feet of runways, taxiways, and parking aprons at the Municipal Airport. This action allows the City to accept the remainder of the necessary funding for the project.)
M. Williamson, Assistant to the City Manager
12. Adopt Resolution No. 05-153 authorizing North American Jet Charter (NAJC) to enter into a sublease agreement with Kern Charter, Inc. in a manner to be approved by the City Attorney. (The current lease with NAJC requires City approval for any sublease agreement entered into by the lessee.)
M. Williamson, Assistant to the City Manager
13. Adopt Resolution No. 05-154 authorizing North American Jet Charter (NAJC) to enter into a sublease agreement with Sierra West Avionics, Inc. in a manner to be approved by the City Attorney. (The current lease with NAJC requires City approval for any sublease agreement entered into by the lessee.)
M. Williamson, Assistant to the City Manager
14. Set Wednesday, August 24, 2005, at 7:00 p.m. as the date and time to hold a public workshop to consider cost-of-services study findings and recommendations.
M. Compton, Administrative Services Director
15. Extend duration of Council ad hoc committee to assist in the review of proposals for a City-wide ADA assessment to September 20, 2005. (Work of the ad hoc committee formed on May 17, 2005, is not yet complete.)
D. Monn, Interim Public Works Director
16. As the work of the committee is complete, dissolve Council ad hoc committee to review Airport development and policy documents.
M. Williamson, Assistant to the City Manager

CONSENT ITEM PULLED FOR DISCUSSION

6. Read, by title only, and adopt Ordinance No. 902 N.S. to add churches to the list of conditionally permitted uses in the Regional Commercial (R-C) Zoning District – Code Amendment 05-002. (The intent of the R-C land use designation is to provide for retail and service uses that serve the region as a whole. This request was initiated by applicants Richard DeBeikes and Jim Halferty, who are pursuing a mixed-use project on vacant property located at the corner of Oak Hill Road and Old South River Road, with a church as one of the uses proposed in the project.) 1ST READING JULY 19, 2005
R. Lata, Community Development Director

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

Motion passed by the following roll call vote:

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

DISCUSSION

17. Reimbursement for Installation of Sewer, Water, and Storm Drain Lines in South River Road – Tract 2422 (Harrod's, Inc.)

R. Lata, Community Development Director

Consider approving reimbursements to the developer of Tract 2422 for the installation of regional sewer, water, and storm drain lines in South River Road. (As a Condition of Approval of this tract, subdivider was required to install a 27-inch sewer line and 16-inch water main in South River Road and reimbursement for construction costs was authorized. Reimbursement for storm drain design and construction was not addressed.)

Mayor Mecham opened the public hearing. Speaking from the public were Larry Werner (representing the applicant) and 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 Picanco, moved to adopt Resolution No. 05-155 authorizing a reimbursement to Mike Harrod, subdivider of Tract 2422, the cost of design and installation of a 27-inch sewer line and a 16-inch water main in South River Road in the amount of \$420,376 and authorize a reimbursement of the cost of a dual 60-inch diameter storm drains across South River Road in the amount of \$215,142.

Motion passed by the following roll call vote:

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

18. Planning Commission Guidelines for Conditions of Approval – Churches in Commercial Zones

R. Lata, Community Development Director

Consider adopting a set of Guidelines for Planning Commission use when considering applications for churches on commercially zoned properties. (On July 19th, Council approved a Zoning Code Amendment that would allow churches in the Regional Commercial Zone, subject to a Conditional Use Permit [CUP] and directed staff to suggest guidelines for future CUP applications.)

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 moved by Councilmember Strong, seconded by Councilmember Picanco, and passed unanimously by voice vote to continue Item No. 18 to the meeting of September 6, 2005.

19. Proposal to Initiate Zoning Code Amendment: Scope of Land Uses in the Parks and Open Space (POS) Zone

R. Lata, Community Development Director

Consider directing staff to initiate a Zoning Code Amendment to modify the land use matrix for the Parks and Open Space Zone to include gyms, health spas, racquetball and handball courts, pools, waterslides, and other aquatic facilities. (The City's current list of permitted or conditionally permitted land uses does not include certain indoor and outdoor recreation uses that seem consistent with the General Plan definition of POS.)

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 initiate a Zoning Code Amendment regarding the scope of permitted and conditionally permitted uses in the POS Zone, consistent with the approach described in the staff report.

Motion passed by the following roll call vote:

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

20. Accept Alleys for City Street Maintenance

R. Lata, Community Development Director

Consider accepting certain alleys into the City's Street Maintenance system. (The State Constitution and the State Streets and Highways Code permit gas tax funds to be used for improvement of public streets. In order for the City to use gas tax funds for alley maintenance, alleys must be formally accepted into the City's street system.)

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

Mayor Mecham, seconded by Councilmember Strong, moved to adopt Resolution No. 05-156 accepting alleys shown on the original map of the Town of El Paso de Robles for maintenance as City Streets.

Motion passed by the following roll call vote:

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

21. Award Water Storage Tank Site Alternative Investigation

D. Monn, Interim Public Works Director

Consider a contract to conduct an investigation of alternative water tank sites at Chandler Ranch and at the southwest part of the City (Trent property). (The City needs to continue its efforts to investigate and identify potential tank sites to adequately meet existing and future fireflow and water service demands. Boyle Engineering, currently assisting the City with its Water Master Plan update, Integrated Water Resource Plan preparation, and Ladera and/21st Street water tank investigations, was asked to estimate the cost to investigate the viability of additional potential water tank sites.)

Mayor Mecham opened the public hearing. Speaking from the public were John Wallace (representing the Chandler Ranch) and 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 Picanco, moved to adopt Resolution No. 05-157 to (1) appropriate \$65,000 from the Water Enterprise Fund to Budget No. 600-310-5224-782; and (2) authorize the City Manager to engage the services of Boyle Engineering to perform investigation of three (3) tank sites in Chandler Ranch and one (1) site at South Vine, for \$62,034.

Motion passed by the following roll call vote:

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

Making a declaration of conflict (the landfill being one of the Councilman’s business accounts), Councilmember Picanco recused himself from voting on Item No. 22 and left the room until deliberations were concluded.

22. Landfill Engineering Services Contract

Brad Hagemann, Water Resources Manager

Consider awarding a contract for Landfill Engineering Services. (In March 2005, Requests for Proposals for engineering services at the City landfill were circulated. Eight responsive proposals were received and reviewed. Council’s ad hoc committee reviewed the top proposals and recommends awarding the contract to SCS Engineers.)

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

Mayor Mecham announced Item No. 22 would be continued to the meeting of August 16, 2005, due the absence of a quorum.

Councilmember Picanco returned to his seat at the dais.

23. Purchase Procedures – Travel and Meeting Expense Reimbursement

M. Compton, Administrative Services Director

Consider modification to the Travel and Meeting component of the Purchasing Procedures Policy. (A modification to the daily per diem component of the City’s purchasing procedures is proposed for compliance with IRS regulations.)

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

Councilmember Strong, seconded by Councilmember Picanco, moved to adopt an amended version of Resolution No. 05-158 modifying Section 10.0, Park 4, of the City’s Purchasing and Payment Procedures Manual.

Motion passed by the following roll call vote:

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

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION

24. Advisory Body Appointment – Housing Authority

E. Gallagher, Housing Manager

Make appointment to fill vacated term on the Housing Authority. (Councilmembers Nemeth and Strong were appointed to interview the applicants and return to the Council with their recommendations. Interviews were held on July 12, 2005. Applicant Paez did not attend. It was the recommendation of both Councilmembers to appoint Nancy Rakowitz.)

1 vacancy for resident commissioner to fill resident term vacated by Arminda Cabel, expiring February 28, 2009

3 applicants: Barbara Moore, Sally Paez, and Nancy Rakowitz

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, seconded by Councilmember Picanco, moved to appoint Nancy Rakowitz to complete the current vacated resident term, expiring February 28, 2009.

Motion passed by unanimous voice vote.

COUNCIL COMMENTS

25. Pioneer Day
Mayor Frank Mecham

The Pioneer Day Committee may face some financial challenges in organizing the 75th anniversary Pioneer Day parade.

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, seconded by Councilmember Picanco, moved to authorize the City Manager to enter discussions regarding financial needs with the Pioneer Day Committee and expend up to \$10,000 of City funds according to those needs.

Motion passed by unanimous voice vote.

AD HOC COUNCIL BUSINESS

26. Ad Hoc Committee Formation – Economic Development Strategy
J. App, City Manager

Consider appointing an ad hoc committee to participate in development of new economic development strategy.

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 Mayor Mecham and Councilmember Strong to an ad hoc committee to participate in development of new economic development strategy; and report back to the full Council by December 20, 2005.

By unanimous voice vote, Council moved to adjourn from regular session at 8:50 PM.

ADJOURNMENT: to THE JOINT PLANNING COMMISSION OLSEN/BEECHWOOD SPECIFIC PLAN MEETING AT 7:30 PM ON THURSDAY, AUGUST 11, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, AUGUST 16, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved: August 16, 2005