



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES

**Tuesday, June 20, 2006 7:30 PM**

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

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**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** – Led by Pat Sheehan

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

### **PUBLIC COMMENTS**

- Norma Moye, Paso Robles Main Street Association, Barbara Lewin, "Blenders", Krista Reyes "Sugar Me Bakery"
- Christy Withers and Ann Robb promoted the Paso Robles Library Foundation, "Midsummer's Magic" fundraiser, "Evening in Paris", Saturday, July 8<sup>th</sup>.

**AGENDA ITEMS TO BE DEFERRED (IF ANY)** - None

### **PRESENTATIONS**

1. **CIF State Champion – Erin Delaney**  
F. Mecham, Mayor

Mayor Mecham presented Erin Delaney with a medallion honoring her athletic and academic accomplishments (CIF State Champion, CIF-SS Masters Champion, CIF-SS Div II Champion. PAC 5 League Champion. SLO County Champion-2006 - Shot Put/Discus).

Bill Stansbury, Throws Coach, was also recognized for his contribution to the Sports Program at Paso Robles High School.

2. **Virginia Peterson Distinguished School Award –  
Principal Carol Stoner**  
F. Mecham, Mayor

Mayor Mecham presented a Proclamation to Carol Stoner for the 2006 award. Principal Stoner spoke, introduced Joel and Josh Peterson, grandsons, of Virginia Peterson.

**PUBLIC HEARINGS – None**

**CONSENT CALENDAR**

Mayor Mecham called for public comments on Consent Calendar items. There were no comments from the public, either written or oral, and the public discussion was closed.

3. Approve City Council minutes of June 6, 2006  
D. Fansler, City Clerk
4. Approve Warrant Register: Nos. 62737—62878 (06/02/06) and 62879—62999 (06/09/06)  
M. Compton, Administrative Services Director
5. Proclamation – Independents Week – July 1st through July 7 saluting the community members and locally owned independent businesses to honor efforts to make Paso Robles place to live and work.
6. Adopt Resolution No. 06-092 adopting an appropriation limit calculation for Fiscal Year 2006--07  
J. Sorensen, Finance Manager
7. Read, by title only, and adopt Ordinance No. 919 N. S. amending Municipal Code §11.12.030 revising the limitation of curb and sidewalk requirements to permits with a valuation of a minimum of \$25,000, and adding alley paving to those requirements. FIRST READING JUNE 6, 2006  
R. Whisenand, Community Development Director
8. Adopt Resolution No. 06-093 authorizing the recordation of Tract 2775, a 17-lot subdivision located on the west side of Maple Street south of Pacific Avenue, and authorizing the Mayor to execute the Subdivision Improvement Agreement guaranteeing the construction of the subdivision improvements with an established deadline of June 6, 2007, Adopt Resolution No. 06-094 annexing Lots 1 through 17 of Tract 2775 into Community Facilities District No. 2005-1, and Adopt Resolution No. 06-095 annexing Tract 2775 into the Landscape and Lighting District.  
R. Whisenand, Community Development Director
9. Adopt Resolution No. 06-096 accepting the recordation of Parcel Map PR 03-340, a four-lot residential subdivision located at the west end of Larkfield Place, west of Driftwood Drive; and Adopt Resolution No. 06-097 annexing Parcel Map PR 03-0340 into the Landscape and Lighting District.  
R. Whisenand, Community Development Director
10. Adopt Resolution No. 06-098 appropriating \$25,000 from Solid Waste Contingency Fund to Budget account 612-910-542-300 and direct to the City Manager to enter into a contract in the amount of \$21,000 with Ferravanti Grading and Paving to repair the access road to the City Landfill. D. Monn, Public Works Director

11. Adopt Resolution No. 06-099 declaring Centennial Park billiard tables and shelf list catalog as surplus and authorize the disposal, sale by public auction, bid, or sale of items. A. Robb, Interim Director of Library and Recreation Services.

Consent Calendar Items Nos. 3 - 11 were approved on a single motion by Councilmember Nemeth, seconded by Councilmember Heggarty, with Councilmember Picanco abstaining on Warrant Register Items Nos. 062840, 062846, 062926, 062957 and 062962, and Mayor Mecham abstaining on Register Item No. 062894.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT:

## DISCUSSION

12. **Landscape & Lighting District No. 1 Proposed FY07 Assessments**  
D. Monn, Public Works Director

City Council to consider adopting the necessary resolutions confirming the balloting results of the Public Hearing of June 6, 2006 and approving and ordering the improvements and assessments for fiscal year 2006/2007.

1. At the February 21, 2006 intent meeting, the City Council had initiated proceedings for and declared its intent to levy assessments for fiscal year 2006/2007 and to conduct ballot proceedings for those properties that would be affected by a proposed new or increased assessment within the Landscape & Lighting District. The Council directed the timing for proceedings to be such that the results could be incorporated into the Annual Levy for fiscal year 2006/2007.
2. On June 6, 2006, the City Council conducted the annual Public Hearing for the Landscape & Lighting Assessment District (L&L District) and proposed assessments that included proposed new or increased assessments for specific developments within the District. After receiving public testimony and comments, the public hearing was closed and ballots were tabulated. Due to the large number of ballots to be counted, the results of the ballot tabulation were not available on the night of the public hearing.
3. The Council has now been presented with the results of the majority protest ballot proceeding by the City Clerk, and may now adopt the accompanying resolutions and Engineer's Report for fiscal year 2006/2007, which has been amended to coincide with the Ballot results and the maximum assessments previously adopted or approved through the recent balloting process.

Mayor Mecham opened the public hearing. Speaking from the public was Barry Ross. There were no further comments from the public, either written or oral, and the public discussion was closed. Jim Maguire, MuniFinancial presented the final Engineer's Report for Fiscal Year 2006/2007.

Councilmember Strong, seconded by Councilmember Nemeth, moved receive public testimony regarding the annual levy of the Landscape and Lighting District, receive the tabulation of the ballots, and bring the item back for discussion in February 2007, and

- a. Adopt Resolution No. 06-100 approving the Engineer's Annual Levy Report; and
- b. Adopt Resolution No. 06-101 ordering the Levy and Collection of Assessments; and
- c. Adopt Resolution No. 06-102 declaring the results of the property owners balloting.

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

***Mayor Mecham asked consent to consider Item No. 14 ahead of Item No. 13 to accommodate minors in the audience who were in attendance to speak on the skate park item. There was no objection.***

#### **14. Pioneer Skate Park Operation Alternatives**

A. Robb, Interim Director of Library and Recreation Services / D. Monn, Public Works Director

For the City Council to consider alternatives for operation of Pioneer Skate Park.

Mayor Mecham opened the public hearing. Speaking from the public was Hunter Olsen and Prentice Booker., Tyler Nelson, Jared Christensen, Garret Troop, San Miguel, Joseph Calagna, Kate Davis. 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 Adopt Resolution No. 06-103 appropriating \$40,000 annually beginning in Fiscal Year 2007 for hiring of a part-time monitor/supervisor for the Skate park, authorized a trial (for 2 years) of limited hours (after school, weekends, holidays & vacation periods), and the establishment of an entry fee.

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

The City Council recessed at 9:14 p.m. and reconvened at 9:22 p.m. with the Mayor and all City Councilmembers present.

#### **13. Short Range Transit Plan Update – Service Scenarios**

M. Compton, Director of Administrative Services

For the City Council to affirm a desired Short Range Transit Plan (S RTP) scenario for delivery of transit services.

Mayor Mecham opened the public hearing. Speaking from the public was Peter Rogers, with SLOCOG. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Mayor Mecham, moved that the Council direct staff to implement the addition of a "super loop" that will serve commuters of Atascadero & Paso Robles to and from Cuesta College, through town, Twin Cities Hospital, etc.; addition of a midday shuttle to aid transport of seniors and disabled to health care providers and shopping; and addition of limited Sunday service (on a reservation basis).

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT:

***Making a declaration of conflict (the Union Asphalt being one of the Councilman's business accounts), Councilmember Picanco recused himself from voting on Item No. 15 and left the room until deliberations were concluded.***

15. **Award Construction Contract to Improve Union Road,  
Riverglen to Kleck**

D. Monn, Public Works Director

For the City Council to consider awarding a contract to improve Union Road from Riverglen to Kleck to Union Asphalt Inc., and the soils engineering services contract to Earth Systems Pacific.

Mayor Mecham opened the public hearing. Speaking from the public were Tom Hardwick, Steve Sylvester, North Coast Engineering. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Heggarty, moved Adopt Resolution No. 06-104 to:

- 1) approve a one-time supplemental budget appropriation of \$743,200 to Budget No. 225.910.5452.507 from the Union/46 Specific Plan Fees
- 2) approve a transfer from the Traffic Mitigation Impact Fee Fund to the Union/46 Specific Plan Fund in the amount of \$697,400
- 3) award a contract to Union Asphalt to widen and improve Union Road from Riverglen to Kleck in the amount of \$1,751,909.07
- 4) authorize the closure of Union Road between Riverglen and Kleck for a period of 8 to 10 months (depending on weather) during construction
- 5) authorize the City Manager to engage the services of Earth Systems Pacific to perform soils engineering services for a not-to-exceed fee of \$25,000.

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT:

**Councilmember Picanco returned to his seat at the dais.**

**16. Civil Engineering Contract – 4<sup>th</sup> and Pine Streets**

R. Whisenand, Community Development Director

For the City Council to consider authorizing the City Manager to enter into an Agreement for civil engineering and surveying services in relation to the realignment of 4<sup>th</sup> and Pine Streets.

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

Councilmember Nemeth, seconded by Councilmember Strong, moved Adopt Resolution No. 06-105:

- 1) Appropriating 40% from Gas Tax Fund (\$24,000) and 60% from Traffic Mitigation Impact Fee Fund (\$36,000).
- 2) Adopt Resolution No. 06-xx authorizing the City Manager to enter into an agreement for civil engineering and survey services with North Coast Engineering in relation to the realignment of 4th and Pine Streets for a not-to-exceed fee of \$53,200.

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

**17. Elimination of the Palm Court Lift Station**

D. Monn, Public Works Director

For the City Council to consider awarding a contract to North Coast Engineering to design a replacement of the Palm Court Lift Station with a gravity sewer system.

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 direct the City Manager to enter into a contract in the amount of \$43,519 with North Coast Engineering to design a gravity sewer line to eliminate the lift station at Palm Court per the April 21, 2006 Scope of Work and Fee Proposal.

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

**18. Visual Art in Public Places**

Ann Robb, Interim Library and Recreation Director

For the City Council to review Visual Art in Public Places ordinance. In March 2005, City Council adopted a Visual Art in Public Places ordinance that provides for acquisition of public art. The funding mechanism for acquisition is 1% of municipal public construction projects, deposited into a "Municipal Arts Fund." The ordinance states that after one year, City Council will review the program.

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

Councilmember Nemeth, seconded by Councilmember Strong, moved Designate the Visual Arts in Public Places program as a permanent program and continue to accumulate funds for arts projects.

Motion passed by roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong  
NOES: Mecham  
ABSTAIN:  
ABSENT:

**19. City Gateway Design Standards Consultant Selection and Budget Request**

R. Whisenand, Community Development Director

For the City Council to consider awarding a contract and allocating funds to prepare Gateway Design Standards.

Susan DeCarli presented the staff report. 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 discussion was closed.

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to adopt Resolution No. 06-106 appropriating \$60,000 to budget Account No. 100-710-5224-301 for this project

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT:

**CITY MANAGER** - None

**CORRESPONDENCE** - None

## ADVISORY BODY COMMUNICATION -

### COUNCIL COMMENTS

20. Consider Assigning a Council Liaison to the SLO County Planning Commission.

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 the Council that a representative of the City should attend the SLO County Planning Commission meetings when agenda items are of particular interest to the City.

### PUBLIC COMMENT ON CLOSED SESSION – None

*City Attorney Iris Yang announced Council's authority to go into closed session to discuss the item listed on the agenda.*

*It was the consensus of Council to adjourn from regular session at 10:28 PM.*

*The City Council thereupon adjourned to Closed Session in the 2<sup>nd</sup> floor Large Conference Room.*

### CLOSED SESSION

**CALL TO ORDER** – Large Conference Room, 2<sup>nd</sup> Floor

*The City Council returned to Regular Session at 11:20 PM.*

### RETURN TO OPEN SESSION

### CLOSED SESSION REPORT

*City Attorney Iris Yang announced that there was no reportable action taken.*

*By unanimous voice vote, Council moved to adjourn from regular session at 11:30 PM.*

### ADJOURNMENT: to

- THE CALIFORNIA LEAGUE OF CITIES POLICY MEETINGS IN SACRAMENTO JUNE 21<sup>ST</sup> THROUGH THE 23<sup>RD</sup>
- to **HOUSING AUTHORITY, PARKS & RECREATION ADVISORY COMMITTEE, AND LIBRARY BOARD OF TRUSTEE INTERVIEWS** AT 7:00 PM ON THURSDAY, JUNE 29, 2006, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET;
- THE CALIFORNIA LEAGUE OF CITIES CHANNEL DIVISION MEETING IN SOLVANG, JUNE 30<sup>TH</sup>
- THE MAIN STREET GREY AMERICANA PARADE ON JULY 1<sup>ST</sup> AT 10:00 A.M.
- BARNEY SCHWARTZ PARK 4<sup>TH</sup> OF JULY FIREWORKS DISPLAY ON JULY 4<sup>TH</sup>

- THE REGULAR MEETING AT 7:30 PM ON WEDNESDAY, July 5, 2006, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Submitted:

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Deborah D. Robinson,  
Deputy City Clerk  
Approved: July 5, 2006