



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Wednesday, July 5, 2006 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 Jim Heggarty Gary Nemeth, Duane Picanco, Fred Strong, and Frank Mecham

PUBLIC COMMENTS

- Pascua Padilla regarding property rights

AGENDA ITEMS TO BE DEFERRED (IF ANY) - None

PRESENTATIONS

1. Economic Vitality Corporation of San Luis Obispo County

Presentation by Michael E. Manchak, President and Chief Executive Officer of Economic Vitality Corporation of San Luis Obispo County, and special guest Jeanice Reyes, owner of Wine Country Cleaning, a recent EVC loan client in Paso Robles.

Presentation to Councilmember Picanco for his 2002-2004 tenure on the EVC Board.

PUBLIC HEARINGS

2. Determination of Historic or Architectural Significance of Buildings at 525 Riverside Avenue & a Request to Process Demolition Permit Application (Demolition 05-005 - Applicant: Smart & Final Corporation)

R. Whisenand, Community Development Director

Receive the report from Historic Resources Group on the Farmer's Alliance Building, determine the historical significance of the property, and act on the proposed demolition permit.
Continued from October 5, 2005

Christy Johnson McEvoy and Cynthia Thompson, representing Historic Resources Group, presented their Preliminary Impact Report for the building located at 525 Riverside. Mayor Mecham then opened the public hearing. Speaking from the public was Norma Moye, Ron Rose, Grace Pucci, Ron Clark, Paula Carr, Dorothy LeFavre, Nancy Farrell, Editha Spencer, Beth Forer, Melanie Rys, Harold Spencer, Wayne Harris, Ran Sulky 1022 Vista Grande, Patsy Rambo, Pasqua Padilla, John Kosinski (representing Smart & Final), 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 Nemeth, moved to adopt Resolution No. 06-107 stating:

1. That the Farmer's Alliance Building is a historic resource meeting the criteria for listing on the National Register of Historic Places (NRHP) and California Register of Historic Places (CRHP) and direct staff to add the building to the City's inventory of historic resources; and that
2. Demolition Permit 05-005 is denied, based on the finding that demolition would have a significant and adverse impact to the environment in accordance with CEQA; and
3. The findings and conclusions of the Historic Resources Group Report are hereby adopted and approved.

Motion passed by the following roll call vote:

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

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. Councilmember Nemeth requested Item 12 be pulled for separate discussion.

3. Approve City Council minutes of June 20, 2006
D. Fansler, City Clerk
4. Approve Warrant Register: Nos. 63000—63154 (06/16/06) and 63155—63315 (06/23/06), and Other Payroll Services.
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee Minutes as follows:
Citizens Airport Advisory Committee Meeting of May 25, 2006
Library Board of Trustees Meeting of May 11, 2006
Parks and Recreation Advisory Committee Meeting of May 9, 2006
Senior Citizen Advisory Committee Meeting of May 8, 2006
Youth Commission Meeting of May 3, 2006
6. Receive and file a status report on the membership of the citizen Airport Advisory Committee (deferral to fill vacancy). M. Williamson, Assistant to the City Manager
7. Read, by title only, and adopt Ordinance No. 920 N.S. amending §2.40.030 D of the City's Municipal Code for City Councilmember and Mayor monthly compensation to \$600 and \$800, respectively. J. App, City Manager
8. Adopt Resolution No. 06-108 authorizing the City's partnership with the Private Industry Council in the August 23, 2006 North County Job Fair.
M. Williamson, Assistant to the City Manager
9. Adopt Resolution No. 06-109 authorizing the recordation of Tract 2529, a 21-lot subdivision with 2 additional open space lots, along the north side of Caballo Place, west of Vine Street from 36th to 38th Streets, authorizing the Mayor to execute the Subdivision Improvement Agreement; adopt Resolution No. 06-110 accepting a Irrevocable and Perpetual Offer of Dedication for an additional right-of-way outside the south boundary of Tract 2529 (for the new public road serving Tract 2529 and the public right-of-way required to accommodate the construction of Caballo Place [Masia Family Trust]); adopt Resolution No. 06-111 annexing Tract 2529 into the Landscape and Lighting District; and adopt Resolution No. 06-112 accepting the public improvements into the City's maintenance system. All conditions imposed by the Planning Commission have been satisfied. (Hope Developments, LLC).
R. Whisenand, Community Development Director
10. Adopt Resolution No. 06-113 accepting the public improvements of Tract 2593 into the City's maintenance system. (Highlands Paso Robles LLC). On May 3, 2005 Council approved Tract 2593 for recordation and executed a Subdivision Improvement Agreement with the developer. The subdivision is located along Navajo Avenue and Red Cloud Road. The public improvements have been constructed to the satisfaction of City staff.
R. Whisenand, Community Development Director
11. Adopt Resolution No. 06-114 accepting Grant of Avigation Easement provided by Joseph and Whitney Rosilez at 4889 Dry Creek Road and 4540 Highway 46 East as a method to inform all future owners of the property of the potential of noise associated with the proximity of the Airport, and provide clearance for the continued operation of the Airport.
R. Whisenand, Community Development Director
13. Award contract for concession operations at Centennial Park, Teen Room, to San Luis Obispo County YMCA. A. Robb, Library and Recreation Services

Consent Calendar Items Nos. 3 – 11 and 13 were approved on a single motion by Councilmember Heggarty, seconded by Councilmember Nemeth, with Councilmember Picanco abstaining on Warrant Register Items Nos. 063100, 063106, and 063142.

Motion passed by the following unanimous roll call vote:

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

The City Council recessed at 8:55 PM and reconvened at 9:00 PM with the Mayor and all City Councilmembers present.

12. Adopt Resolution No. 06-115 approving the Classification Study prepared by Koff & Associates dated April 2006, and amending the Compensation and Benefit Plans for S.E.I.U., P.O.A., the Unrepresented Confidential, Professional & Management employees, and the Part Time employees, effective April 1, 2006 to March 31, 2010.
M. Williamson, Assistant to the City Manager

Councilmember Nemeth, seconded by Councilmember Picanco moved to adopt Resolution No. 06-115 approving the Classification Study prepared by Koff & Associates dated April 2006, and amending the Compensation and Benefit Plans for S.E.I.U., P.O.A., the Unrepresented Confidential, Professional & Management employees, and the Part Time employees, effective April 1, 2006 to March 31, 2010.

Motion passed by the following unanimous roll call vote:

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

DISCUSSION

ADJOURN TO JOINT MEETING OF REDEVELOPMENT AGENCY & CITY COUNCIL

14. **San Luis Obispo Housing Trust Fund - Request for Grant for Operating Funds**

R. Whisenand, Community Development Director

Consider a request from the San Luis Obispo County Housing Trust Fund (HTF) for a grant of \$5,000 to assist them with their operating funds for calendar year 2006.

Chairman Nemeth opened the public hearing. Speaking from the public was Gerald Rioux, Executive Director, San Luis Obispo County Housing Trust Fund. There were no further comments from the public, either written or oral, and the public discussion was closed.

Agencymember Strong, seconded by Agencymember Picanco, moved to adopt Resolution No. RA 06-01 approving a grant of \$5,000 in Redevelopment Low and Moderate Income Housing Funds to the San Luis Obispo County Housing Trust Fund for their calendar year 2006 operating costs.

Motion passed by the following roll call vote:

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

ADJOURN TO CITY COUNCIL MEETING

15. Request to Remove an Oak Tree within Golden Hill Road Right-of-Way (Colin Weyrick) – OTR 06-003

R. Whisenand, Community Development Director

Consider a proposal to remove one 12-inch Valley Oak Tree located within the Golden Hill Road right-of-way. The request is in relation to the development of parcel Map PR 04-0310, a 12-lot industrial subdivision adjacent to Golden Hill Road.

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 Nemeth, seconded by Councilmember Picanco, moved to adopt Resolution. 06-116 to:

1. Allow the removal of the 12-inch diameter Valley Oak Tree in accordance with §10.01.050.D of the City's Oak Tree Ordinance, based on the Arborist concluding that the tree is in poor health and has poor aesthetic value, and
2. That removal is necessary in order to construct improvements for Golden Hill Road, including under-grounding the existing overhead utility lines, and
3. To require the applicant to plant two 1.5 inch diameter Valley Oak Trees as part of the subdivision improvements at the direction of the Arborist.

Motion passed by the following unanimous roll call vote:

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

16. In-Lieu Fees Associated with Required Street Improvements

R. Whisenand, Community Development Director

Review a report of the collection of in-lieu fees associated with required street improvements with building permits since adoption of the fees on March 18, 2003.

Mayor Mecham opened the public hearing. Speaking from the public was 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 receive and file report.

Motion passed by the following unanimous voice vote:

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

NOES:

ABSTAIN:

ABSENT:

AD HOC COMMITTEE COMMUNICATION

17. Display of National Motto -“In God We Trust”

M. Williamson, Assistant to City Manager

Consider display of the national motto of “In God We Trust” in the City Council Chambers.

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 Heggarty, moved adopt Resolution No. 06-117 authorizing display of the patriotic national motto “In God We Trust” as part of a governance banner in the City Council Chambers during City Council meetings only; and dissolve the ad hoc committee.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

The Council approved, by general consent, that the banner would be produced by the silk screening method.

COUNCIL COMMENTS

18. Naming of City Facility – 13th Street Bridge

J. App, City Manager

Review a request to rename the 13th Street Bridge.

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 approve the renaming of 13th Street Bridge to the Robert J. Rader Memorial Bridge.

Motion passed by the following roll call vote:

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

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION –

COUNCIL COMMENTS

19. Designation of Voting Delegate and Alternate for 2006 League of California Cities Annual Conference – September 6-9, 2006

J. App, City Manager

Consider designating a delegate and alternate to the League of California Cities Annual Conference.

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

By general consensus, Resolution No. 06-118 was adopted designating Councilmember Heggarty as voting delegate and Councilmember Strong as voting delegate alternate to the 2006 League of California Cities Annual Conference.

COUNCIL COMMENTS - Continued

Councilmember Strong submitted his report from the California League of Cities, "Housing, Community and Economic Development Committee" meeting of June 22, 2006.

Councilmember Nemeth requested consideration of a forum to discuss the City's policy concerning the outsourcing of plan-checking and the possible establishment of an ad hoc committee to study the issue.

PUBLIC COMMENT ON CLOSED SESSION – None

Deputy City Attorney Jon Seitz 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 10:00 PM.

The City Council thereupon adjourned to Closed Session in the 2nd floor Large Conference Room.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 10:15 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

Deputy City Attorney Jon Seitz announced that Council confirmed the appointment of Ann I. Robb as Director, Library and Recreation Services.

By unanimous voice vote, Council moved to adjourn from regular session at 10:30 PM.

ADJOURNMENT: MIDSUMMER MAGIC LIBRARY FOUNDATION FUNDRAISER, 7:00 PM ON SATURDAY, JULY 8, 2006 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

ADJOURNED REGULAR MEETING FOR ADVISORY BODY INTERVIEWS & APPOINTMENTS AT 7:00 PM, THURSDAY, JULY 13, 2006 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

REGULAR MEETING AT 7:30 PM ON TUESDAY, JULY 18, 2006 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Submitted:

Deborah D. Robinson, Interim Deputy City Clerk
Approved: July 18, 2006