

City of El Paso de Robles

"The Pass of the Oaks"

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
DECEMBER 20, 1994

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Presented by Councilmember Martin

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 School District Board Room was called to order by Mayor Walter Macklin.

ROLL CALL VOTE: Councilmember Chris Iversen
Councilmember Steve Martin
Councilmember Duane Picanco (absent)
Mayor Pro Tem Jim Heggarty
Mayor Walt Macklin

DUE TO TECHNICAL DIFFICULTIES, TONIGHT'S MEETING WILL NOT BE RECORDED

PUBLIC COMMENTS

None

GOOD NEWS!

Bob Lata, Director of Community Development, presented a summary of the activity concerning the SLO County Mortgage Credit Certificate Program. Out of 76 commitments that have been issued, Paso Robles is 88% committed on the issue amount available to us equalling \$8,747,385 in mortgages. In 1995 there will be an additional \$10,000,000 available to first time buyers.

(Councilmember Picanco arrived and took his seat)

MORE GOOD NEWS!

Heritage Oaks Bank is receiving a California Parks and Recreation, District 8, distinguished service award. The award is given to an individual, group, or business that has been recognised for their endeavors in the recreation field. Heritage Oaks Bank is the recipient this year for the City of Paso Robles for its involvement in the "Adopt an Angel" gift program. District 8 CPR extends from Newberry Park to the north county.

PRESENTATIONS

1. Review of City's Investment Portfolio

Mike Compton, Director of Administrative Services reviewed the City's Investment Portfolio indicating that the City intends to keep 100% of the money invested as described on page 1-2. Mr. Compton assures Council that the money is fully insured, however, will be available if needed. He has no problem continuing with the "pool" as he does not believe the City will have the same problem as Orange County recently.

PUBLIC HEARINGS:

2. Code Amendment 94006 (Multiple Family Residential Regulations Update)

Mayor Macklin announced that this item has already been continued to January 17, 1995 per Council action on December 6, 1994.

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Councilmember Iversen, seconded by Councilmember Heggarty, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with the exception of Items 3,4, & 12 which were pulled for discussion. Motion passed by the following roll call vote:

AYES: Heggarty, Iversen, Martin, Picanco, and Macklin
NOES: None
ABSENT: None

Those items approved are as follows:

- ITEM 5. Adopt Resolution 94-172, Declaring Certain Items Held in the Police Department Property Section as Surplus & Authorizing Its Distribution to Other City Departments (J. Nelson, Police Chief)
- ITEM 6. Adopt Resolution 94-173, Authorizing the City Manager to Execute a Memorandum of Understanding for S.E.I.U. Represented Workers Effective October 1, 1994 - September 30, 1996 (J. App, Asst. City Mgr.)
- ITEM 7. Adopt Resolution 94-174, Authorizing Usage of a Septic System at 4152 Dry Creek Rd. Per Planned Development 93-010 (Estrella Warbird Facility) (J. McCarthy, Dir. of Public Works)
- ITEM 8. Approve Permit Application for Removal of an Oak Tree at 225 Pacific Avenue (J. McCarthy, Dir. of Public Works)
- ITEM 9. Adopt Resolution 94-175, Authorizing the City to Enter a Cooperative Agreement with San Luis Obispo Council of Governments (SLOCOG) for Preparation of an Engineering Study for the 24th Street Rail Overcrossing (J. McCarthy, Dir. of Public Works)
- ITEM 10. Adopt Resolution 94-176, Authorizing Acceptance of Grant of Easement from Neal R. Snyder for Drainage and Access Purposes (J. McCarthy, Dir. of Public Works)

- ITEM 11. Authorize Second Reading & Adopt Ordinance No. 682 N.S., Amending the Zoning Map Established by Reference in Section 21.12.020 of Zoning Regulations (Prezone 94008 Paso Robles Hot Springs Annexation) (R. Lata, Dir. of Comm. Dev.)
- ITEM 13. Adopt Guidelines and Application Process for City of Paso Robles Department of Community Services Youth Scholarship Program (S. Ross, Dir. of Comm. Svcs.)
- ITEM 14. Introduce by Title Only Ordinance _____, N.S. Establishing & Amending Certain Limitations of the Redevelopment Plan (D. Potts, City Attny)

Those items pulled for discussion are as follows:

ITEM 3. Approve the Pre-Check Register (M. Compton, Dir. of Admin. Svcs.)
 This item was pulled by Councilmember Heggarty who referred to Page WA1, bottom of page, referencing a towing fee of \$115. Stu Ross, Director of Community Services indicated that a departmental van broke down on the Interstate 101 grade and had it towed to the City yard.

It was moved by Councilmember Heggarty, seconded by Councilmember Iversen, and passed unanimously to approve the check register.

ITEM 4. Receive & File Petition to Change Speed Limit on Creston Road Between Niblick & Scott Streets (J. McCarthy, Dir. of Public Works)

Councilmember Picanco feels this item should be addressed and that the public should have a chance to comment on this. The City Clerk indicated that action had already been taken on December 6th to bring this item back on January 17, 1995. John McCarthy will have a report at that time.

It was moved by Councilmember Iversen, seconded by Councilmember Picanco, and passed unanimously to bring back this item January 17, 1995.

ITEM 12. Adopt Drug Free Work Place Policy (J. App, Asst. City Mgr.)
 Councilmember Heggarty requested clarification on policy. Rich Ramirez indicated that this is in the best interest of the people and was drafted to be in compliance with the State statute. In January, the City plans to start drug testing according to Jim App. Council will be looking at this again next year at a more comprehensive drug testing.

It was moved by Councilmember Iversen, seconded by Councilmember Heggarty, and passed unanimously to adopt a drug free work place policy.

DISCUSSION ITEMS

15. FAA Grant Pre-Application - Paso Robles Municipal Airport
 John McCarthy, Director of Public Works, presented the staff report to consider approval of pre-application for grant funding to effect runway repair. The Engineer's cost estimate for the proposed project is \$702,500. The FAA share of the funding will be 90%, and the State and City funding will be 5% each.

It was moved by Councilmember Picanco, seconded by Councilmember Heggarty, and passed unanimously to adopt Resolution 94-177, Approving Submission of a Pre-Application for FAA Grant Funding for Airport Improvements as presented.

16. Exchange of Real Property with Smith Family Trust

Chris Iversen stepped down due to a possible conflict. John McCarthy, Director of Public Works presented for consideration, approval of an exchange of real properties located on Garden Street. Mr. McCarthy indicated only a small portion of both properties is useable, most of it being in the riverbed.

Ernie Smith was available for questions and stated that he is trying to set up a trust for his family which needs to be written properly.

It was moved by Councilmember Picanco, seconded by Councilmember Heggarty, and passed unanimously to Adopt Resolution 94-178, Authorizing the City to Trade Like Properties with Property Owner, The Smith Family Trust.

17. City Telecommunications System

Mike Compton presented for consideration, options for telecommunications system for the new Library/City Hall. The vendor in which the telephone switch was purchased approximately five years ago, is no longer in business or able to maintain the switch and keep an inventory of parts. AT & T will also be unable to maintain switch. A previous employee of Tubbs, Dave Wolter, may be interested in continuing service with the City, maintaining the switch and carrying parts.

After discussion, it was moved by Councilmember Iversen, seconded by Councilmember Martin, and passed unanimously to continue this item to January 17, 1995. At this time, Council will discuss if Mr. Wolter is interested in servicing the City, will provide timely service, and to discuss what other businesses are doing that have the same switch. In the meantime, City Manager, Rich Ramirez, indicated that staff would move forward with design and cabling of the building for the existing phone system; given a delay now, could hold up occupancy beyond March 1995.

CITY MANAGER

18. Financial Challenges - Atascadero

Rich Ramirez congratulated the Atascadero City Council and professional staff for successfully making it through the Orange County crisis in short term. If necessary a JPA could be formed between Atascadero and Paso Robles.

19. Library Dedication Event Update

Stu Ross, Chairman of the Committee, indicated that they are moving forward with the dedication and will keep Council posted as they proceed.

20. Multiplex Theatre Proposal - Workshop/Interview Date

Date set for workshop will be 7:00 pm. on January 25, 1994. The top three candidates will be invited to interview: American Family, Rousch, & Andre Lekai (Cinema Paradiso Assoc.). The location will be noticed at a later date.

WRITTEN COMMUNICATIONS

21. Paso Robles Foundation for Culture & the Arts Offer to Donate Cast Bronze Sculpture Medallion of Ignace Jan Paderewski for Permanent Display in the Paso Robles Public Library

Chris Iversen stepped down due to conflict of interest. Virginia Peterson introduced John Olt, the sculptor of the medallion. The bronze sculpture is a profile of Paderewski that will be unveiled at the dedication on February 25, 1995. Once a decision is made where this is to be placed in the Library, Mr. Olt will install it himself.

It was the consensus of City Council to appoint Jim App as the responsible party in the placement of the sculpture with the approval of Virginia Peterson and John Olt. Chris Iversen abstained.

ADVISORY BODY COMMUNICATION

AD HOC COUNCIL BUSINESS

22. Airport Advisory Committee and Planning Commission Applications and Interview Process
Jim Heggarty reported the skydivers attended the last meeting, raising questions that the Advisory Board would like to present to the Blueskies. Interviews for the Airport Advisory have been set for January 12, 1995, at 6:30 pm. Being there are 20 applicants for Airport, a second date was set for the 8 Planning Commission interviews on January 11, 1995 at 7:00 pm. Interviews will be limited to six (6) minutes each.

On another matter, Walt Macklin commented that citizens must go to Atascadero to receive such things as restraining orders, and that it would be beneficial if some of the county offices could be moved to Paso Robles. Mayor Macklin will check into the amount of case loads handled in the county.

23. Development Impact Fees - Status (D. Picanco)

Councilmember Picanco stated that there should be discussion or communication to a letter received, dated November 18th, from various people in the construction industry.

Dennis Moresco, Midland Pacific Building Corp., presented statistics on permits issued over the past years. These fees are forcing the construction industry to build small homes, producing a high impact on impact fees being charged. He pays about \$16,000 per house including specific plan fees, school fees, and city fees which is paid at the time of occupancy. John Fowler, Riverbank project, commented on the impact fees not being reasonable.

Doug Potts, City Attorney, clarified that people were not given ample notice to comment and make a decision tonight, and that this should be placed on the next agenda. This is only a status report.

It was moved by Councilmember Picanco, seconded by Councilmember Heggarty, to reconsider the rate of development impact fees on January 17, 1995. Motion failed on the following roll call vote:

AYES: Heggarty, Picanco
NOES: Iversen, Martin, Macklin
ABSENT: None

Therefore, Development Impact Fees for implementation is scheduled for January 17, 1995 as planned.

COUNCIL COMMENTS

Duane Picanco

1. LAFCO: Mr. Picanco asked if Council if staff should focus on all three items regarding the Sphere of Influence and stated that Black/Hunter is coming before LAFCO in January.

After discussion Council prioritized the following spheres:

1. Hunter/Black
2. Marquita
3. Santa Ysabel
4. Hot Springs (considered there will be no objection from the County)

There being no further business, the meeting adjourned at 10:00 pm. The next Regular Scheduled Council Meeting will be January 17, 1995.

CLOSED SESSION

Pursuant to: **Government Code Section 54956.9(a) - Litigation**

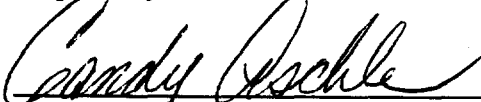
- a. **Conference with Legal Counsel-Existing Litigation**
Name of Case: Veterans of Foreign Wars Post 10965;
American Legion Post 50 vs. City of Paso Robles
Case Number: CV074282

No action taken.

- b. **Conference with Legal Counsel-Existing Litigation**
Name of Case: Chicago Grade vs. City of Paso Robles
Case Number: None

No action taken.

Respectfully submitted,


Candy Aschle, Deputy City Clerk