



City of El Paso de Robles

'The Pass of the Oaks'

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
MARCH 7, 1995

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Presented by Councilmember Picanco

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
Mayor Pro Tem Jim Heggarty
Mayor Walt Macklin

PUBLIC COMMENTS

Rod Carillo, 750 Herford Lane, a resident of Paso Robles for six years, is here to inform Council that people do not attend the meetings because they don't think their opinion counts. He proceeded to speak of the Munari issue where Mayor Macklin asked that Mr. Creole wait until the Munari item is discussed later on in the agenda. Dawn Zmugg, a resident of Spanish Camp, spoke that the City Manager should work with Mr. Ross regarding the Bloodborn issue that took place at Centennial a few days ago. Ms. Zmugg expressed concern for the High School student that had to clean up blood with his bare hands from a young girl's bloody nose. There was no staff person or cleaning supplies or running water in the rest rooms, nor was there any toilet paper in the womans room. Since the incident, she stated that Community Services have purchased bio-hazard kits. On another matter, Dawn Zmugg requested a copy of correspondence dated June 30, 1994 from Roger Elkin and minutes from the Munari workshop held last month. Also requested were loan documents. To date, she has not received them. Bob Lata indicated that he could not locate any correspondence from Mr. Elkin nor were there any minutes prepared for the workshop as of this date.

PRESENTATIONS

1. **Achievement Awards to Paso Robles High School Students representing the U.S. in International Soccer.**

Mayor Macklin announced that the recipients will not be present until later, therefore, this presentation will take place when they arrive.

This item heard after Item #5.

Ben Chiaramonte and Aaron Corso were selected to represent the United States in playing for the 1995 Lanzer National Select Soccer Team in Holland over spring break. Their parents came forward as well as Ben

and Aaron to accept the award from Mayor Macklin.

2. Kit Fox - Summary on Content of MOU

Bob Lata, Director of Community Development, stated that one of the options available was to enter into a memorandum of understanding. Staff suggests a workshop be set to discuss ideas.

Dick Montegue reminds Council that if the City should have to donate property, it could mushroom out into the County, this being a detriment to the County.

It was the consensus of City Council for staff to respond to Fish & Game, revise the MOU, and bring back to Council at a later date for final approval. At that time, residents will have a chance to participate. No action required.

PUBLIC HEARINGS:

3. City Engineering Design & Construction

Mayor Macklin announced it was the time and place for City Engineering Design and Construction. John McCarthy, Director of Public Works, discussed the revision of construction and engineering design standards for improvements which will be dedicated to the City for maintenance.

Mayor Macklin opened the public hearing. There being no comments, either written or oral, the public hearing was closed.

It was moved by Councilmember Heggarty, seconded by Councilmember Picanco, to send back to Planning Commission for review and comments. Motion passed by the following roll call vote:

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

4. Columbariums - Code Amendment 95001

Mayor Macklin announced it was the time and place for Code Amendment 95001. Bob Lata, Director of Community Development presented for consideration a code amendment to allow columbariums (vaults for storage of cremated remains) as an accessory use to churches. This would apply to all zoning districts where churches are conditionally permitted (residential zones, C-1, C-2, C-3, and M).

Mayor Macklin opened the public hearing.

Terry Martin, Priest of St. James Church, indicated that there is a long tradition in burying at the church and having a burial site on the property will prolong the tradition. If Council approves, they will go to the State and have to follow regulations set by the State. The "memorial garden" (as he called it) is on the north side of the Church. Nick Gilman, Architect, feels there needs to be a limitation, whereas, they may use selling Columbariums as a fund raiser. He also made the point that if the church moves, who then is in charge of the columbariums.

There being no further comments, either written or oral, the public hearing as closed.

After discussion, it was moved by Councilmember Iversen, seconded by Councilmember Martin, and passed unanimously to Adopt Resolution No. 95-34, Approving a Negative Declaration for Code Amendment 95001; and Read by Title Only Ordinance 386-A, N.S., Amending the Zoning Code to Establish Columbariums as an Accessory Use to Churches.

5. Skateboarding - Code Amendment 95002

Mayor Macklin announced it was the time and place for Code Amendment 95002 where Bob Lata discussed prohibiting roller skating, skateboarding and riding in or by means of any coaster in all commercial zones.

Mayor Macklin opened the public hearing.

Michael Cox, from Sunstorm, feels that banning skates is not an answer and that there should be a compromise. Skating has increased over the years as they are now used for transportation. He agrees to a sidewalk ban, but to let them use the streets as do bicycles. Another idea is to build a park for kids to skate. Mr. Cox stated that the City should not ban everyone and penalize those who are responsible. Dawn Zmugg feels that if kids start using the streets, there will be many injuries. She suggests a helmet and pad law if skating is permitted.

After three motions were made and failed, it was moved by Mayor Macklin, seconded by Councilmember Picanco, and passed unanimously to continue this item so Mr. Cox will have a chance to speak to his customers so there will be further input from the skating community.

Item 1 heard at this time.

6. Charolais Water Tank - EIR 95002

Mayor Macklin announced it was the time and place for Charolais Water Tank. Bob Lata requested this item be tabled until further notice.

It was moved by Councilmember Martin, seconded by Councilmember Picanco, and passed unanimously to table this matter indefinitely.

ADJOURN TO JOINT MEETING OF PUBLIC FINANCING AUTHORITY, REDEVELOPMENT AGENCY & CITY COUNCIL

CALL TO ORDER Agencymembers Heggarty, Iversen, Macklin, Martin, & Picanco were present.

DISCUSSION/ACTION ITEMS

7. Exclusive Right to Negotiate Multi-Plex Movie Theatre

Chairman Picanco announced it was the time and place for Multi-Plex Movie Theatre negotiations. Bob Lata presented for consideration entering into an Exclusive Right to Negotiate Agreement (for 7 months) with John Roush for development of a Multi-Plex Movie Theatre project in the downtown area.

Councilmember Iversen indicated that the agreement should include the site specific which is to be within 2 blocks of downtown.

Chairman Picanco opened the public hearing.

Nick Gilman, Architect, feels that the publicity may have increased the price of the property which would be impossible to acquire. He commented that he was not pleased in preparing an engineering study for a storm drain in Item A5 of the agreement.

There being no further comments, either written or oral, the public hearing was closed.

It was moved by Councilmember Martin, seconded by Mayor Macklin, to Adopt Resolution No. RA 95-02, authorizing the Chairman to execute agreement with the amendment "the site specific shall be within two blocks of the downtown area"; Agency members Chris Iversen and Steve Martin will provide representation during the negotiation process. Motion passed by the following roll call vote:

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

OTHER BUSINESS

ADJOURN TO CITY COUNCIL MEETING

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Councilmember Martin, seconded by Councilmember Picanco, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with the exception of Items 8 & 13b 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 9. **Approve the Pre-Check Register** (M. Compton, Dir. of Admin. Svcs.)
- ITEM 10. **Adopt Resolution No. 95-35, Granting Permission to File Development Applications in Advance of Preparing the Airport Specific Plan.** (J. McCarthy, Dir. of Public Works)
- ITEM 11. **Approve Street Closure for West Coast Kustom Car Show May 26th & 27th, 1995** (S. Ross, Dir. of Comm. Svcs.)
- ITEM 12. **Adopt Resolution No. 95-36, Authorizing a Contract with Creative Computer Solutions for the Acquisition of Hardware & Software to Upgrade the City's Financial & Accounting System.** (M. Compton, Dir. of Admin. Svcs.)
- ITEM 13. **Authorize the City Manager to Execute a Contract with Sandercock Transfer Company for \$9,632 to Provide Library Relocation Assistance, and Temporarily Close 11th Street for the Period of the Move.** (J. App, Asst. City Mgr.)

Those items pulled for discussion are as follows:

- ITEM 8. **Approve City Council Minutes of July 5, 1994 & October 5, 1993** (R. Ramirez, City Clerk)
Janice Nelson, 1205 Beaver Creek Lane, thanked for letter advising that the minutes of July 5th will be ready March 8th. She urges City Council to include comments and arguments of the public when asked to be put on the record. Dawn Zmugg commented on the delay in approving minutes with Duane Picanco indicating that staff time is a problem. Jim App explained that the City Clerk's Office fell behind taking care of more current minutes. There was a consensus of Council that the minutes need to be done in a more timely manner. Ms. Zmugg then commented on the notation on the last page of the July 5th minutes regarding the City

Manager merit increase and insurance. Councilmembers Iversen and Picanco feel that there may be an interpretation problem in said notation.

It was moved by Councilmember Martin, seconded by Councilmember Heggarty to approve minutes of July 5th and October 5th. Motion passed by the following roll call vote:

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

Amendment:

ITEM 13b. Approve Second Reading of Ordinance No. 687.N.S., Amending the Zoning Map Established for Prezone 94009/Sphere of Influence Amendment 3S-94 (Munari) (R. Lata, Dir. of Comm. Dev.)

Janice Nelson questioned the ordinance referencing a Sphere of Service. Dawn Zmugg indicated that in past experience, we have treated the influence and service as two separate items. The way the ordinance is written is wrong as on October 4, 1994, the minutes say it is for Sphere of Influence, not Sphere of Service.

It was concluded that there is a difference between the applicant and the City. It was moved by Councilmember Martin, seconded by Councilmember Heggarty, to approve the above ordinance with an amendment referring only to the Sphere of Influence. The record will also reflect the date of October 4th instead of September 4th as stated in the ordinance.

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

DISCUSSION ITEMS

CITY MANAGER

14. Set Date for 1995 Consolidated Plan for CDBG and Home Funds Workshop

Assistant City Manager, Jim App, suggested that Council set a date for the 1995 Consolidated Plan for CDBG and a Home Funds Workshop. Suggested dates were April 5th, 6th, 12th and the 13th.

It was the consensus of the City Council to meet April 6, 1995, 7:30 pm in the School District Board Room.

15. 4th & Pine Street Update

Discuss options for future use at the 4th & Pine Street facility.

As suggested by Jim App, it was moved by Councilmember Martin, seconded by Councilmember Picanco, and passed unanimously to table this discussion to a future date.

WRITTEN COMMUNICATIONS

ADVISORY BODY COMMUNICATION

AD HOC COUNCIL BUSINESS

Walt Macklin and Jim Heggarty met with San Luis Obispo, Atascadero, Atascadero Mutual Water Co., and TCSD to set an agenda for April 11th joint meeting. The Board of Supervisors will also be invited. All six agencies will focus on the Nacimiento water project.

COUNCIL COMMENTS:

Chris Iversen

1. The Highway 101 Paso Robles Street off-ramp is in poor condition and fills up with water when it rains. John McCarthy feels some repair may be done to improve it.

Steve Martin

1. There is a meeting tomorrow on the telecommuting survey and indicated that there are sizeable grants available for telecommuting.

There being no further business, either written or oral, the meeting was adjourned at 10:15 pm.

CLOSED SESSION

Pursuant to: Government Code Section 54957 - Meet & Confer

- a. **Agency Negotiator: City of Paso Robles**
Employee Organization: Police Officer's Association

No action taken.

Pursuant to: Government Code Section 54957 - Performance Evaluation

- b. **Public Employee Semi-Annual Performance Evaluation - City Manager**

No action taken.

Respectfully submitted,


Richard J. Ramirez, City Manager/Clerk

(Minutes approved 3/21/95)