

CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL DECEMBER 19, 1995

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Presented by Councilmember Iversen

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

Fred Strong, 1482 Penman Springs, represents business owners at 1301 Riverside. He requests an item be agendaized (see attachment A) to discuss the possibility of applying for a change in wording on their signs.

PRESENTATIONS & CELEBRATIONS

1. Proclamation ~ Bearcat Volleyball Day

Mayor Macklin asked that members representing the Varsity Volleyball Team come forward so he may present them with a proclamation declaring December 20, 1995 as Bearcat Volleyball Day. Scott Larson along with six (6) members were present to accept.

2. Recognition of Former Planning Commissioner

Former Planning Commissioner, Pat Crawford, was presented with plaque recognizing her dedicated service for over five years. Present and former Planning Commissioners commented on working with her.

3. Notice of Preparation~Theatre Drive

Bruce Buckingham made a presentation of a proposed development on Theatre Drive consisting of 310,000 sq. ft. on 26 acres. Immediately following the presentation, Diane Sheeley and himself will be available to the media to answer questions.

4. Comprehensive Annual Financial Report ~ Presentation

Mike Compton, Director of Administrative Services, highlighted the results of the financial activities of the City for the fiscal year ended June 30, 1995. Carlos Reynoso was present to answer any questions.

Pat Mackie, 2940 Union Road, congratulated Mike Compton and staff on the program budget.

It was moved by Councilmember Martin, seconded by Councilmember Heggarty, and passed unanimously to **receive and file the CAFR.**

PUBLIC HEARINGS

5. Neo-Traditional Development Code Option

Mayor Macklin announced it was the time and place for public hearing Neo-Traditional Development Code Option. Bob Lata, Director of Community Development presented for consideration, adopting a Neo-Traditional Development Code option as part of the Zoning Code.

Mayor Macklin opened the public hearing.

Speaking in support were: **Nancy Scott**, 344 15th Street; **Tom Rush**, 1757 Rambouillet; **Larry Werner**, No. Coast Engineering; **Pat Mackie**, 2940 Union Road. Those in support but are in favor of the Code being optional, not mandatory, are: **Mike Rider** and **Sheree Davis**, representing the Chamber of Commerce.

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

It was moved by Councilmember Martin, seconded by Councilmember Picanco, and passed unanimously to **direct that all comments be noted & considered for possible refinements to the draft code; continue public hearing to January 16, 1996 for first reading of ordinance.**

Break 8:55 pm.

6. Cost Recovery for Community Development

Mayor Macklin announced it was the time and place for the continued public hearing on Cost Recovery regarding a cost recovery proposal for Community Development.

Mayor Macklin opened the public hearing.

Larry Werner, 741 Orchard Drive, indicated that this was not a good time to make this decision and expressed concerns regarding the development fees. This only reflects the City's fees, not any public benefits. **Mike Rider** spoke of the permit fees and requested clarification on the action before Council. **Sheree Davis** forwarded comments from the Chamber of Commerce, asking that the fees be reconsidered. **Pat Mackie** also expressed concerns on the fees.

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

It was moved by Councilmember Iversen, seconded by Councilmember Picanco, and passed unanimously to **have a study session in January, and then place on this item again on the City Council Agenda no later than March, 1996 for action.**

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

CALL TO ORDER Agencymembers Jim Heggarty, Chris Iversen, Walt Macklin, Steve Martin, & Duane Picanco

DISCUSSION/ACTION ITEMS

7. Redevelopment Agency Annual Report for Fiscal Year 1995

Mike Compton, Director of Administrative Services, presented for consideration to the Redevelopment Agency and City Council, approving the Redevelopment Agency Annual Report for fiscal year 1995.

It was moved by Agencymember Martin, seconded by Agencymember Iversen, **that the Redevelopment Agency and City Council sitting in joint session hereby approves the following resolutions:**

1. **The Redevelopment Agency to adopt Resolution No. RA95-10, Approving the Redevelopment Agency Annual Report for fiscal year 1995**
2. **The City Council to adopt Resolution No. 95-171, Approving the Redevelopment Agency Annual Report for fiscal year 1995**

Motion passed by the following roll call vote:

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

ADDENDUM: (7A)

7A. Woodland Plaza II - Second Implementation Agreement

Diane Sheeley, Economic Development Manager, presented for review, the revised Second Implementation Agreement for Woodland Plaza II.

Pat Mackie, 2940 Union Road, expressed concern due to the delay of the Niblick Bridge and objects to the information on this item not being available to the public. Rich Ramirez indicated that he did not imply there would be a delay in constructing the bridge and that an addendum was available to the public regarding Woodland Plaza II.

Jim Halferty, developer, addressed Council's concerns and the site plan changes. Phase IIA will be constructed to generate a sales tax increment; JC Penney, opening in the spring of 1997; and other tenants planning to open in the fall of 1996 such as Big 5 and Payless Shoes.

It was moved by Agencymember Martin, seconded by Agencymember Heggarty, to **adopt Resolution No. RA95-11, Approving the Second Implementation Agreement to the Owner Participation Agreement.** Motion passed by the following roll call vote:

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

8. Economic Development~Financial Participation Policy ~ A-3A

Diane Sheeley, Economic Development Manager, presented to the Redevelopment Agency and City Council an amendment to the Policies & Procedures for Financial Participation, A-3A. Mike Compton further addressed legal issues that should be considered.

Kent Terry, 8283 Cross Canyon Road, San Miguel, requested clarification on the policy and how this will benefit the developer. **Matt Masia**, Adelaide Motor Inn, requested more time to review the policy and presented questions and concerns specific to projects and the legality of the policy. **Pat Mackie**, 2940 Union Road, agreed with Mr. Masia and suggested this be discussed further at a later time.

It was moved by Agencymember Iversen, seconded by Agencymember Macklin, **for staff to come back with a method to equitably charge or reimburse bridge fees dealing with RV Parks.** Motion passed by the following roll call vote:

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

ADJOURN TO CITY COUNCIL MEETING

Break 11:35 pm

CONSENT CALENDAR

The **Consent Calendar** was approved upon motion by Councilmember Martin, seconded by Councilmember Iversen, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with the exception of Items 13, 18, & 22 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:

9. **Approve City Council Minutes of October 26, November 2, November 21, & December 5, 1995** (R. Ramirez, City Clerk)
10. **Approve Pre-Check Register** (M. Compton, Dir. Of Admin. Svcs.)
11. **Authorize Second Reading and adopt Ordinance 702, N.S. Establishing Title 20 (Grading) which has been reserved in the Municipal Code** (J. McCarthy, Dir. Of Public Works)
12. **Authorize Second Reading and adopt Ordinance 703, N.S. Establishing Chapter 21.23C of the Zoning Code (Title 21) for Temporary Use Permits** (R. Lata, Dir. Of Comm. Dev.)
14. **Authorize Second Reading and adopt Ordinance 705, N.S. Amending Chapter 17.04 adopting the 1994 editions of the Uniform Codes, 1993 National Electrical Code, & specified support codes** (R. Lata, Dir. Of Comm. Dev.)
15. **Authorize Second Reading and adopt Ordinance 706, N.S. Amending Title 17 of the Municipal Code~Building & Construction** (R. Lata, Dir. Of Comm. Dev.)
16. **Adopt Resolution No. 95-172, Authorizing the removal of three oak trees on the corner of Olive & 23rd Street** (J. McCarthy, Dir. Of Public Works)
17. **Adopt Resolution No. 95-173, Accepting into the City Street System Certain Streets & Roads Constructed, Parcel Map PR94-016; Adopt Resolution No. 95-174, Accepting Certain Improvements Constructed & Authorizing the City Engineer to Execute a Notice of Completion.** (J. McCarthy, Dir. Of Public Works)
19. **Adopt Resolution No. 95-176, Adopting a Policy for Installation of Speed Humps on City Streets** (J. McCarthy, Dir. Of Public Works)
20. **Approve leasing additional property at the Paso Robles Airport to Avlite Aviation** (J. McCarthy, Dir. Of Public Works)
21. **Refer to the Planning Commission, Considering a Modification to the Conditions of Approval for CUP 88-011; request firm to submit plan providing alternative locations for stockpiles** (R. Lata, Dir. Of Comm. Dev.)
23. **Adopt Resolution No. 95-178, Delegating Employment Disability Determination Authority Under Section 21023C of the Government Code** (J. App, Asst. City Mgr.)
24. **Adopt Resolution No. 95-179, Approving the Execution of the Fiscal Year 1995-96 Claim for Local Transportation Funds & State Transit Assistance Funds** (M. Compton, Dir. Of Admin. Svcs.)

Those items pulled for discussion are as follows:

13. **Authorize Second Reading and adopt Ordinance 704, N.S. Repealing Chapter 21.40 of the Municipal Code & Amending Chapter 9.06 of the Municipal Code for Nuisance Abatement Procedures** (R. Lata, Dir. Of Comm. Dev.)

Pulled by Pat Mackie as he wished clarification as to what type of Nuisance Abatement this was. It was moved by Councilmember Iversen, seconded by Mayor Macklin, and passed unanimously to adopt this ordinance.

18. **Adopt Resolution No. 95-175 . Authorizing a Consultant Services Agreement with No. Coast Engineering for the Preliminary Design Phase for Construction of Barney Schwartz Park** (S. Ross, Dir. Of Comm. Svcs.)

Walt Macklin pulled this item so that Stu Ross may advise Council of additional information. Pat Macklin requests that traffic concerns be addressed in the preliminary design. City Attorney, Iris Yang, suggested a few technical changes be made that will not affect the substance of the agreement. It was moved by Mayor Macklin, seconded by Councilmember Picanco, and passed unanimously to approve the resolution including the technical changes suggested by the City Attorney.

22. **Enter into an agreement with Urban Design Studio to prepare a comprehensive signage design program; Direct staff to solicit participants in an ad hoc Signage Design Advisory Committee; Appoint two (2) Councilmembers to the Advisory Committee** (R. Lata, Dir. Of Comm. Dev.)

Pat Mackie & Matt Masia agreed that the public should be involved in the design program. It was moved by Councilmember Iversen, seconded by Councilmember Martin, and passed unanimously to approve the agreement and appoint the Streets & Utilities Committee to set on the advisory committee.

DISCUSSION ITEMS

25. **Household Hazardous Waste Collection**

John McCarthy, Director of Public Works, presented for consideration, holding a Household Hazardous Waste collection event next Spring.

It was moved by Councilmember Picanco, seconded by Councilmember Martin, to **Adopt Resolution No. 95-177, Authorizing a Household Hazardous Waste Collection Event for April 1996 & Authorizing MSE Environmental, Inc. As Agent for the Event.** Motion passed by the following roll call vote:

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

26. **Time Extension for Tract 1892 (Quail Run)**

Chris Iversen stepped down due to a conflict of interest. John McCarthy presented for consideration, granting a time extension on a subdivision agreement for Tract 1892 that will expire on December 31, 1995.

It was moved by Councilmember Heggarty, seconded by Councilmember Picanco, and passed on a 4/0 vote to **Grant time extension & require a bond be placed for Phase I improvements; require the Phase I improvements be completed within two years or the security will be used to construct them; require commitments made by Calmont in its October 31, 1995 letter be among the items to be secured.** Councilmember Iversen resumed his seat at the dias.

(#27-no report)

WRITTEN COMMUNICATIONS

28. **Paso Robles High School Bearcat Marching Band**

Bruce Courter, PRHS Marching Band President, requests financial help for the marching band and color guard. There was a consensus that City Manager, Rich Ramirez, write a letter requesting proposals from the Bearcat Marching Band, for undertaking services in the City of Paso Robles.

ADVISORY BODY COMMUNICATION

29. Receive and file minutes of October 10, 1995 & November 14, 1995 for the Housing Authority

It was moved by Councilmember Iversen, seconded by Councilmember Picanco, and passed unanimously to receive and file the minutes of October 10, 1995.

30. Receive and file minutes of December 1, 1995 for the Streets & Utilities Committee

It was moved by Councilmember Martin, seconded by Councilmember Picanco, and passed unanimously to receive and file the minutes of December 1, 1995.

31. Receive and file minutes of September 28, 1995 for the Citizens Airport Advisory Committee

It was moved by Councilmember Heggarty, seconded by Councilmember Martin, and passed unanimously to receive and file the minutes of September 28, 1995.

AD HOC COUNCIL BUSINESS

32. Constitutional Revision Commission (C. Iversen)

33. Amtrak Car Funding Update (C. Iversen)

There was a consensus that this item is not a pressing issue at this time.

ADJOURNMENT

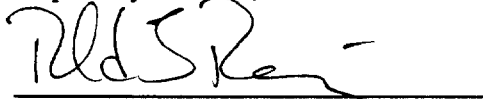
There being no further business, the meeting was adjourned at 12:20 am to January 3, 1996 to the Library/City Hall Conference Center.

CLOSED SESSION:

- a) Pursuant to Government Code §54956.7 ~ Anticipated litigation
Conference with legal Council
Significant exposure to litigation (Facts & circumstances not known)
Number of Cases: One

No action taken.

Respectfully submitted,



Richard J. Ramirez, City Clerk

(Minutes approved 01/04/96)