



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

MINUTES OF THE REGULAR MEETING **PASO ROBLES CITY COUNCIL** **FEBRUARY 18, 1997**

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Presented by Mayor 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 Library/City Hall Conference Center was called to order by Mayor Duane Picanco.

ROLL CALL VOTE: Councilmember Chris Iversen
Councilmember Macklin
Councilmember Lee Swanson
Mayor Pro Tem Tom Baron
Mayor Duane Picanco

PUBLIC COMMENTS

Klaus Schuman - spoke regarding gas blowers.

Jennifer Baron - PRHS Senior, who wants to participate in the Teenage California Scholarship Pageant, requested a contribution towards her participation fee.

Vic Shafer - traffic problem on Creston Road referred to Streets & Utilities Committee for discussion.

Mary Chambers - Hwy 46 Committee; CHP has announced that Paso Robles has received a \$55k emergency equipment grant.

PRESENTATIONS & CELEBRATIONS

1. Proclamation Recognizing the "Retired Senior Volunteer Program"

Mayor Picanco presented Diane Marorano with a proclamation in recognition of the Retired Senior Volunteer Program.

RIMC Code:
Date: 02/18/97
File Plan/GE Cat.:
Subject: Minutes
Location: City Clerk
Retention: Permanent
Other

2. Proclamation Recognizing the "Senior Nutrition Program"

Mayor Picanco presented Renee Clark with a proclamation in recognition of the Senior Nutrition Program, which has been in service since 1980.

3. Resolution of Welcome ~ Alvin & Grace Swanson

Mayor Picanco stated Alvin and Grace Swanson were unable to be present to accept their Resolution of Welcome presented by the City Council. Councilman Swanson accepted on behalf of his parents.

4. Airport Advisory Board Recognition ~ John Denlinger

This item was continued to March 4, 1997 due to Mr. Denlinger's request.

It was moved by Councilman Macklin and seconded by Councilman Iversen to move Item 19 to follow Item 7 on the agenda. Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

5. Presentation of the 24th St. Rail Overcrossing Engineering Study

John McCarthy, Director of Public Works, introduced Mark Imbriani, of Boyle Engineering to present the study to the Council.

It was moved by Councilman Baron, seconded by Councilman Swanson, to receive and file the 24th Street Rail Overcrossing Engineering Study. Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

PUBLIC HEARINGS

6. Deny Conditional Use Permit ~ GTE Mobilnet

Mayor Picanco announced it was the time and place for the public hearing on CUP-GTE Mobilnet. Bob Lata, Director of Community Development, presented for the Council's consideration, the request by GTE Mobilnet to install a cellular telephone service site with a 50 foot high monopole antenna. The project is located on the same parcel as the City's 21st Street Water Reservoir, just east and downhill from the existing 21st Street reservoir site.

Mayor Picanco opened the public hearing. Those speaking in favor: Martin Kuehl

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

It was moved by Councilman Iversen, seconded by Councilman Swanson, to Adopt Resolution No. 97-21, Denying the Conditional Use Permit 96016 for GTE Mobilnet. Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

7. Amending Title 11 of Municipal Code ~ Alleys

Mayor Picanco announced it was the time and place for the public hearing on Title 11 of the Municipal Code. John McCarthy, Director of Public Works, requested Council give consideration to amending the ordinance to allow restriction of alley access east of the Post Office.

Mayor Picanco opened the public hearing. Those speaking in favor were Dr. Jack Sloan. There being no further business, either written or oral, the public hearing was closed.

Councilman Swanson stated he had an exparte meeting with Dr. Sloan. Councilman Baron stated he had an exparte phone conversation with Dr. Sloan on Tuesday, February 18, 1997.

It was moved by Councilman Swanson, seconded by Councilman Macklin, to **Approve and Read by Title Only Ordinance _____ N.S., Amending Title 11 of the Municipal Code.** Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

ITEM 19 WAS PRESENTED AT THIS TIME.

CONSENT CALENDAR

The **Consent Calendar** was approved upon motion by Councilmember Baron, seconded by Councilmember Macklin, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with the exception of Items 9, 10, 12, 14, 15, 16, 17, and 18, which were pulled for discussion. Motion passed by the following roll call vote:

AYES Baron, Iversen, Macklin, Swanson and Picanco:
NOES: None
ABSENT: None

Those items approved are as follows:

8. **Approve Warrant Register** (M. Compton, Dir. Of Admin. Svcs.)
11. **Adopt Resolution No. 97-22, Awarding Group Dental Insurance Contract to Guardian** (J. App, Asst. City Manager)
13. **Receive & File Preliminary 1996 Uniform Crime Statistics Report** (D. Cassidy, Act. Chief of Police)

Those items pulled for discussion are as follows:

9. **Authorize 2nd Reading and Adopt Ordinance No. 721, N.S. Amending Chapter 21.14 of Title 21 of the Municipal Code ~ Floodplain Management** (J. McCarthy, Dir. Of Public Works)

Pat Mackie asked if the Floodplain Management contain a condition that building will not be allowed on 100 year floodplains. Mayor Picanco stated you would have to be 1-foot above the floodplain fringe.

It was moved by Councilman Macklin, seconded by Councilman Iversen, to **Authorize 2nd Reading and Adopt Ordinance No. 721, N.S. Amending Chapter 21.14 of Title 21 of the Municipal Code ~ Floodplain Management.** Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

10. **Approve 2nd Reading and Adopt Ordinance No. 722, N.S., Amending Title 14, 17, and 22 of the Sewer Ordinance** (J. McCarthy, Dir. Of Public Works)

Pat Mackie stated he had submitted comments and wanted to know if they had been reviewed. He was informed his comments had been received.

It was moved by Councilman Macklin, seconded by Councilman Baron to **Approve 2nd Reading and Adopt Ordinance No. 722, N.S., Amending Title 14, 17, and 22 of the Sewer Ordinance.** Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

12. **Adopt Resolution No. 97-23, Confirming the Appointment of Dennis Cassidy as Police Chief** (R. Ramirez, City Mgr.)

Councilman Macklin requested this item be pulled in order to bring more recognition of Dennis Cassidy and offer the Councilmen and audience to speak on this. Rich Ramirez stated a press conference and official "pinning" will be held at 3:00 p.m., Wednesday, February 19, 1997, on the steps of the Carnegie Library.

It was moved by Councilman Macklin, seconded by Councilman Iversen to **Adopt Resolution No. 97-23, Confirming the Appointment of Dennis Cassidy as Police Chief.** Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

14. **Adopt Resolution No. 97-24, Awarding Bid Whitaker Contractors for Street & Storm Drain Improvements-Park Cinema Phase A, DPW 96-08** (J. McCarthy, Dir. of Public Works)

Pat Mackie wanted to point out the cost of this project almost doubles with the borrowing costs. He asked if there was another way of funding this. Councilman Swanson stated that funding through the Redevelopment Agency was the easiest and cheapest way.

It was moved by Councilman Macklin, seconded by Councilman Iversen to **Adopt Resolution No. 97-24, Awarding Bid Whitaker Contractors for Street & Storm Drain Improvements-Park Cinema Phase A, DPW 96-08.** Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

15. **Adopt Resolution No. 97-25, Approving Appropriation for Roundabout Design Study at 1st & Spring & Enter into Cooperative Agreement with SLO County Council of Governments for Reimbursement Costs of Study** (J. McCarthy, Dir. of Public Works)

Pat Mackie stated he supports the study of the Roundabout Design. He is concerned that the bridge issues are addressed individually and feels they should be addressed as part of a system.

It was moved by Councilman Macklin, seconded by Councilman Swanson to **Adopt Resolution No. 97-25, Approving Appropriation for Roundabout Design Study at 1st & Spring & Enter into Cooperative Agreement with SLO County Council of Governments for Reimbursement Costs of Study.** Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

16. Approve Twenty-Year Airport Ground Lease on Parcel 16 consisting of 6,555 sq. ft. ~ Reed (J. McCarthy, Dir. of Public Works)

Councilman Baron requested this item be pulled, in order to question the amount of rent charged for this parcel and the term of the lease. John McCarthy responded by stating this particular lease is one of the lesser amounts. He explained the criteria for determining the lease amount. Councilman Swanson and Councilman Macklin agreed to meet with Rich Ramirez and John McCarthy to further discuss leases at the Airport.

It was moved by Councilman Iversen, seconded by Councilman Baron to **Approve Twenty-Year Airport Ground Lease on Parcel 16 consisting of 6,555 sq. ft. ~ Reed.** Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

17. Adopt Resolution No. 97-26, Approving Appropriation to Update 13th St. Bridge Study & Enter into Cooperative Agreement with SLO County Council of Governments for Reimbursement Costs of Study (J. McCarthy, Dir. of Public Works)

Pat Mackie had addressed this while speaking on Item 15.

It was moved by Councilman Iversen, seconded by Councilman Macklin to **Adopt Resolution No. 97-26, Approving Appropriation to Update 13th St. Bridge Study & Enter into Cooperative Agreement with SLO County Council of Governments for Reimbursement Costs of Study.** Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

18. Adopt Resolution No. 97-_____, Accepting Offers of Dedication from the TDC/Emeritus Paso Robles Associates for PD95-007 (J. McCarthy, Dir. of Public Works)

Councilman Iversen requested this item be pulled in order to ask staff about the open space easement being granted.

It was moved by Councilman Macklin, seconded by Councilman Swanson and passed unanimously by voice vote, to **continue this item and to have staff double check the scope of easement.**

DISCUSSION ITEMS

19. Development Impact Fees

City Manager, Richard Ramirez, presented for the Council's consideration, information with regards to Development Impact Fees and related matters.

Those speaking on this matter: Pat Mackie, Nick Ferravanti, Fred Strong, Dennis Moresco, George Finnegan, Mike Upton, Dave Garretson, Rod Carillo, Ted Miller, Frank Mecham, David Hicks, Dale Gustin, Gordon Hilchey, Curt Rankin, Klaus Schuman, Andy Charnley, Steve Martin, Mary Chambers, Don Purcell, Jim Heggarty, and Tom Zmugg.

Mayor Picanco announced an intermission would be taken at this time, 9:37 p.m.. Mayor Picanco called the meeting back to order at 9:54 p.m.

On a consensus of the City Council, Mary Chamber's hat was passed around the room to collect money to benefit Jennifer Baron.

It was moved by Councilman Baron, seconded by Councilman Swanson, to approve Resolution No. 97-27, Temporarily Suspending a Portion of the City's Development Impact Fees and to review this item every 6 months beginning with the fiscal year 1997-98; and amend motion to include the following additional language to Section 5 of Resolution No. 97-27, "should the rate of building activity increase to over 200 single family dwellings per year, the Public Facilities fee will return to \$5,000". Motion passed by the following roll call vote:

AYES: Baron, Iversen, Swanson and Picanco
NOES: Macklin
ABSENT: None

20. Annexation Application ~ Munde

Bob Lata presented for Council's consideration authorizing staff to initiate and process an annexation application for property north east of the intersection of Highway 46 East and Airport Road. The area is approximately 90 acres and is located within the Sphere of Influence.

Pat Mackie asked if the Council was going to be the lead agency for annexations or if it would be the responsibility of the applicant. Staff stated that Mr. Munde was informed by LAFCO that his application could be expedited if the City were the lead agency.

It was moved by Councilman Baron, seconded by Councilman Macklin, and passed unanimously by voice vote, to authorize staff to file an application with LAFCO for annexation of subject property, subject to project priority listing and contingent upon deposits received to cover annexation costs.

21. R-1 Grading Standards Modification Request

Bob Lata stated they have had a request to modify grading standards. Council is asked to discuss and provide policy directions regarding existing residential (R-1) grading standards, and whether those standards should be amended to accommodate a grading modification request. Grading standards would allow consideration of pad height differences in excess of 12 feet. Tim Roberts spoke on behalf of the applicant.

It was moved by Councilman Macklin, seconded by Councilman Iversen and passed by a 4/1 vote, with Mayor Picano voting no, to have the Planning Commission review this item and submit a recommendation to the City Council.

Jennifer Baron expressed her appreciation for the "passing of the hat" and stated that she was now \$125.00 closer to participating in the Teenage California Scholarship Pageant.

CITY MANAGER

None

WRITTEN COMMUNICATIONS

Council Macklin stated a notice had been received that the Planning Commission had adjourned to a breakfast meeting on February 21, 1997, 7:00 a.m., at Wilson's Restaurant. It was moved by Councilman Iversen, seconded by Councilman Macklin and passed unanimously by voice vote, to adjourn to the joint meeting of the Planning Commission on February 21, 1997, of which attendance is optional.

ADVISORY BODY COMMUNICATION

22. Receive and File Minutes for the Following Advisory Meetings:

- a. **Parks & Recreation Advisory Minutes of November 13, 1996**
- b. **Housing Authority Minutes of January 14, 1997**
- c. **Airport Advisory Minutes of December 12, 1996**

It was moved by Councilman Macklin, seconded by Councilman Swanson, and passed unanimously by voice vote to receive and file the Parks & Recreation minutes of November 13, 1996, Housing Authority Minutes of January 14, 1997, and the Airport Advisory Committee minutes of December 12, 1996.

AD HOC COUNCIL BUSINESS

23. Vets/4th of July

Councilman Swanson stated he had met with the Veterans regarding a dedicated honoree of the 4th of July in Paso Robles. Ray Barksdale spoke on behalf of the Veterans. The Veterans would like to have a bar-b-que on the 4th of July. He stated the VFW and the American Legion will probably participate as well.

It was moved by Council Iversen, seconded by Councilman Baron, and passed unanimously by voice vote, to adjourn to Closed Session at 11:57 p.m..

CLOSED SESSION:

- a. **Pursuant to Government Code 544956.9(a) ~ Existing Litigation Conference with Legal Counsel Kleinhammer vs. City of Paso Robles, Templeton Community Services District, et al.**

No action reported.

ADJOURNMENT:

to THE JOINT MEETING OF THE PLANNING COMMISSION ON FRIDAY, FEBRUARY 21, 1997, 7:00 AM, AT WILSON'S RESTAURANT, AND TO THE JOINT PAC/CITY COUNCIL MEETING ON WEDNESDAY, FEBRUARY 26, 1997 AT CENTENNIAL PARK, AND SUBSEQUENTLY TO THE REGULAR CITY COUNCIL MEETING ON TUESDAY, MARCH 4, 1997, 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Respectfully submitted,


Madelyn Paasch, City Clerk

(Minutes approved 3/4/97)