



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL JUNE 17, 1997

CALL TO ORDER

PLEDGE OF ALLEGIANCE

Following the Pledge of Allegiance, Mayor Picanco suggested everyone take a moment of silence for Lee Swanson's mother who has taken ill in Minnesota.

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 (Absent)
Mayor Pro Tem Tom Baron
Mayor Duane Picanco

PUBLIC COMMENTS

None

PRESENTATIONS & CELEBRATIONS

1. Community Service Recognition ~ Velta Williamson

Mayor Picanco presented a Certificate of Recognition from the City to Velta Williamson congratulating her dedicated service in the community and diligent efforts toward the establishment of the Multi-Modal Station. A certificate and letter from Assemblyman Bordonaro was also presented by the Mayor for bringing Amtrak to Paso Robles. Ms. Williamson acknowledged Councilmember Iversen for his contribution in the Multi-Modal Station.

2. Proclamation ~ Special Olympics/Law Enforcement Torch Pass

Police Chief Cassidy accepted on behalf of law enforcement, the proclamation from Mayor Picanco in honor of the Law Enforcement Torch Pass. The torch passed through Paso Robles on Monday, June 16, 1997.

RIMC Code:
Date: 06/17/97
File Plan/GE Cat.:
Subject: Minutes
Location: City Clerk
Retention: Permanent
Other

June 13, 1997

JUN 16 1997

Paso Robles City Council Members:

Mayor Duane Picanco, Tom Baron, Walt Macklin, Chris Iversen, and Lee Swanson.

1000 Spring St.

Paso Robles, Ca. 93446

CITY OF PASO ROBLES

Re: General Plan Amendment 97-03 (A) and
Rezoning 97003 Bill Danley/Tom Erskine

ITEM #15 6/17/97 AGENDA

Dear Members of the City Council:

I take umbrage and vigorously oppose the prospective change in zoning of the 74 acre parcel adjacent to the western border of the new Huerhuero Golf Course. This action undermines the city's vision of developing the area as a tourist destination point. Locating an industrial park next to a resort class golf course is counter-productive in encouraging visitors from around the state and across the nation come to your area to play golf, spend money, and relax. Both Hunter Ranch and Huerhuero Creek are top quality facilities that will attract many people to Paso Robles. Within a 2 hour radius there are ten counties with 3 million people. Within three hours there are 14 counties with 6 million people. This is an important fact when considering the potential for tourism. Paso Robles is in an excellent location. We have a large population to attract. Let us not undermine this potential by co-mingling industrial sites with tourist sites.

We at Hunter Ranch and Huerhuero Creek Golf Course urge you to reject this change in zoning for the following reasons.

- **Incompatible, inconsistent, and in direct conflict with the City's vision of the development of tourism.**

While industrial space is desirable it seems that there is plenty of room in Paso Robles to keep these two contradictory land uses separate and apart.

- **Negative Impact on the Huerhuero Golf Course's ability to attract tourists.**

Resort golf is heavily reliant on the surrounding aesthetics. An industrial tract is not conducive to a relaxed, rural environment and panoramic vistas. It would have a major impact in our ability to attract tourists.

- **Lack of Substantive Review Before Zoning Change.**

Industrial Tracts can be mitigated to some extent but they are still industrial with their inherent baggage of smells, hyper-activity, negative visual attributes, noise, and other pollutants. An industrial tract, by its very nature, is not conducive to enhancing tourism and should be located away from tourist activity.

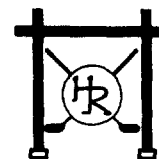
- **Unequal Treatment**

Huerhuero Creek Golf Course had to undergo thorough environmental scrutiny prior to its zone change from Agriculture to Recreation. In this instance there has been virtually no review or consideration of public comment by the neighborhood in this zone change from Agricultural to Industrial. Huerhuero Golf Course has a single, small clubhouse and virtually no change in the landscape. This is in marked contrast to the lasting and permanent effects to the environment caused by an industrial tract.

Sincerely,

Michael McGinnis

Hunter Resources Director of Golf



HUNTER RANCH GOLF COURSE

MICHAEL MCGINNIS
Director of Golf

4041 HIGHWAY 46 EAST
PASO ROBLES, CA 93446
(805) 237-7444

9-10

Pacific Gas and Electric Company

Los Padres Divisor
4325 S. Higuera Street
P.O. Box 8592
San Luis Obispo, CA 93406-8592
805/546-3864

Manager

June 17, 1997



Mayor Duane J. Picanco
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

Dear Mayor Picanco and Council Members:

Thank you for the opportunity to submit this letter and my comments to you and the council regarding item 23 on this evening's agenda, consideration of a resolution supporting the County and Coastal Schools efforts to obtain relief from damaging loss of property tax revenue as a unintended consequence of electric industry restructuring.

I understand this item originated at the request of the County administrator at the June 5, Joint Cities meeting. Following a number of questions and discussion, the item failed to pass at that meeting. If the City of Paso Robles is interested in adopting a resolution on this issue, I would like to submit the following information and recommendations for the council's consideration.

First, it is important to look at the larger and more important issue of making Diablo Canyon Power Plant cost competitive so that it has the best chance to continue to operate in a fully competitive environment. Last summer, the California legislature passed and the Governor signed into law legislation (AB 1890) which requires that the California electric utility industry become fully competitive, and mandated a 10% electric rate decrease for all residential and small commercial customers starting January 1998. This rate decrease will save residents and businesses in this county \$33.9 million over the next four years, or approximately \$8.5 million per year.

PG&E's recently adopted rate structure for Diablo Canyon is designed to comply with AB 1890. A component of this includes the accelerated depreciation of the plant, which allows the outstanding capital costs to be recovered by 2002. This will impact property tax payments, however, after the year 2000, no one can project what the total amount of these impacts will be since the State Board of Equalization's formula for property tax valuation is scheduled to be renewed or revised at that time. Only if the plant is competitive and able to continue to operate will it be able to continue to provide the local benefits of being the largest single property tax provider, an annual payroll in excess of \$100 million and employment for over 1600 residents.

Mayor Duane J. Picanco
June 17, 1997, Page 2

For the past year and a half, PG&E, the County, Senator O'Connell and Assemblyman Bordonaro have been meeting to address the impacts associated with accelerated depreciation of Diablo Canyon. Since PG&E and the County have enjoyed a beneficial relationship, it is in our collective best interest to find a mutually agreeable legislative solution.

In light of this information, I would appreciate that the council consider including the following amendments to the resolution:

"WHEREAS, electric industry restructuring will provide County citizens, businesses, schools, hospitals and agriculture with the ability to choose their energy suppliers and to obtain competitively priced electricity; and"

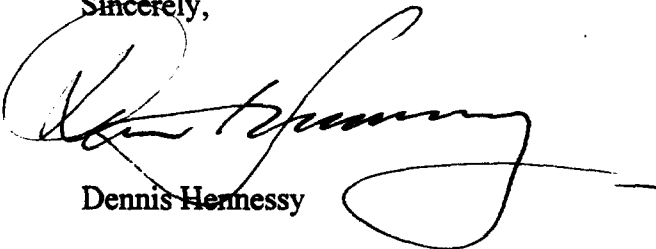
"WHEREAS, AB 1890 will provide County residential and small commercial customers a 10% reduction in their electric rates beginning January 1, 1998, and"

"RESOLVED" clause to read as follows:

"...that these cities do support the significant competitive benefits of customer choice and lower electricity prices resulting from electric industry restructuring, including the efforts to make Diablo Canyon Power Plant competitive so that it can continue to operate and provide jobs and economic benefits to the County; and that these cities also support the effort of San Luis Coastal Schools and San Luis Obispo County to protect the community from a serious and damaging loss of tax revenue as a result of electric industry restructuring."

PG&E is committed to continuing to enhance the social and economic viability of the communities we serve. I appreciate the council's consideration of this matter.

Sincerely,



Dennis Hennessy

3. Proclamation ~ Resources for Youth Month

Mayor Picanco read the proclamation establishing the month of June, 1997 as "Resources for Youth Month". No one was present to accept.

PUBLIC HEARINGS

For the record, Mayor Duane Picanco announced that Council received correspondence from Tom Erskine (Attachment A) concerning Items #5 and #6, General Plan Amendments and Rezone 97003 and 97005. Mr. Erskine requested these items be continued to the July 1, 1997 City Council meeting. Mayor Picanco indicated that residents will have an opportunity to speak this evening on this matter.

4. Amendment Appeal-Tract 2214/Planned Development 95008~Orrarde

Mayor Picanco announced it was the time and place for the public hearing to consider a request to amend Planned Development Permit 95008 and Tentative Tract 2214 construction phasing plan. The project is located at 2000 Creston Road across from Stoney Creek Drive.

Mayor Picanco opened the public hearing.

Larry Werner, North Coast Engineering, gave a brief overview of the project indicating that requiring the installation of perimeter fencing and landscaping for the entire project would present a financial burden on the applicant. Mr. Werner suggested installing landscaping and fencing during each phase and requested Council adopt Option B. Pat Mackie, 2940 Union Road, questioned the purpose of an eight foot wall and spoke in opposition of constructing a wall of any height. Stephanie Procof, 207 Nighthawk, spoke on behalf of her neighborhood indicating they are in favor of a fence and suggested they plant tall, fast growing trees. Coker Ellsworth of Arroyo Grande, spoke in favor of completing fencing and landscaping during each phase.

It was moved by Councilmember Iversen and seconded by Councilmember Baron to continue this open public hearing to July 1,1997 in order to allow time to review original conditions of the project before making a decision. Motion passed on the following roll call vote:

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

Jim App, Interim City Manager, announced that due to technical difficulties, the meeting is not being broadcast this evening. (8:20 pm)

5. General Plan Amendment & Rezone 97003 ~ Danley/Erskine

Mayor Picanco announced it was the time and place for the public hearing on General Plan Amendment and Rezone 97003.

Mayor Picanco opened the public hearing.

Mike McGinnis, Director of Hunter Ranch Golf Course, opposes the zoning change as referenced in his letter (Attachment B). Councilmember Baron stated for the record that he had a telephone conversation with Mr. McGinnis this afternoon. Pat Mackie indicated that it was inappropriate to consider Item #5 and #6 and wished to have these considered separately. Bob Lata explained to Mr. Mackie that according to State law, the City is only allowed four (4) amendments per year to the General Plan and that consolidation of dissimilar items is not prohibited.

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

Upon receipt of correspondence (Attachment A) from Tom Erskine requesting this item be continued until July 1, 1997, it was moved by Councilmember Macklin and seconded by Councilmember Iversen, to continue the open public hearing to July 1, 1997. Motion passed on the following roll call vote:

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

6. General Plan Amendment 97-03(B) & Rezone 97005 ~ Erskine

Mayor Picanco announced it was the time and place for the public hearing on General Plan Amendment and Rezone 97005.

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

It was moved by Councilmember Baron and seconded by Councilmember Macklin, to continue the public hearing to July 1, 1997. Motion passed by the following roll call vote:

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

7. Code Amendment 97005 ~ Sign Code Amendment

Mayor Picanco announced it was the time and place for public hearing Code Amendment 97005 to discuss amending the City's Sign Code to revise the regulations for projecting/icon signs and wall-mounted signs. The amendment addresses a signage request by F. McLintocks Restaurant located at 1226 Park Street.

Mayor Picanco opened the public hearing.

Jim Saunders, representing McLintocks Restaurant, requests City Council consider Option B, that would allow installation of a 5' x 5' icon sign and reduce the size of two wall mounted signs. Peter Hulme, from Main Street Design Committee, and Nick Gilman spoke in favor of McLintocks proposal. Sheree Davis, Chamber of Commerce, indicated that the Chamber is pleased the Planning Commission is adhering to City policies and feels the amendment may revitalize downtown.

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

City Council reached a consensus to amend Exhibit A of the ordinance referring to icon and projecting signs. The word "icon" shall be dropped and language added to "reduce the maximum area to 25 square feet". Mayor Picanco expressed concern that the Planning Commission should be able to make another recommendation due to this change.

It was moved by Councilmember Macklin and seconded by Councilmember Baron to Adopt Resolution No. 97-84, approving a Negative Declaration for Code Amendment 97005. Motion passed on the following roll call vote:

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

It was moved by Councilmember Iversen, seconded by Councilmember Baron, to Introduce as amended and Read by Title Only Ordinance _____ N.S., amending Section 21.19.070, Code Amendment 97005, pertaining to wall-mounted and projecting signs. Motion passed by the following roll call vote:

AYES: Baron, Iversen, and Macklin
NOES: Picanco
ABSENT: Swanson

8. Annexation/Zone Change 97-006 ~ Kiessig

Mayor Picanco announced it was the time and place for public hearing Zone Change 97006 to consider annexing 270 acres to the City of Paso Robles. A portion of the property is within the Borkey Area Specific Plan and has been offered to Cuesta Community College.

Mayor Picanco opened the public hearing.

Steve Gregory, representing Kiessig, was present to answer questions. For the record, Mayor Picanco and Councilmember Baron indicated they spoke with Mr. Gregory prior to this evenings meeting. Dodie Stroud, 3765 Buena Vista Drive, is opposed to her property being annexed into the City. Matt Masia suggested Council contact Mrs. Stroud about meeting with LAFCO concerning her property if necessary.

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

It was moved by Councilmember Macklin and seconded by Councilmember Baron to **Adopt Resolution No. 97-85, Granting Negative Declaration Status for Zone Change 97-006; and Introduce and Read by Title Only Ordinance _____N.S., Approving the Zone Change 97-006 with regards to Annexation #74. Exhibit A (zoning map) was modified to exclude the Stroud property.** Motion passed by the following roll call vote:

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

Break 9:33 pm

9. 1996 Community Development Block Grant Program

Mayor Picanco announced it was the time and place for the public hearing to consider an amendment to the 1996 One-Year Action Plan to reprogram unspent allocated funds

Mayor Picanco opened the public hearing.

Ray Ching, 703 Vine Street, was present to answer questions regarding the Boys & Girls Club. He clarified that the "Lola Eide Building Fund" will go towards items not included by CDBG funds such as computers and furniture.

Councilmember Baron would like the record noted that he spoke with Mr. Ching prior to this evening's meeting.

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

It was moved by Councilmember Baron and seconded by Councilmember Iversen to **Adopt Resolution No. 97-86, amending the 1996 One Year Action Plan to reallocate \$45,000 to the Boys and Girls Club Facility renovation project and set a public hearing date for August 5 or 19, 1997 to consider EOC's Home Repair program.** Motion passed on the following roll call vote:

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

CONSENT CALENDAR

The **Consent Calendar** was approved upon motion by Councilmember Iversen, seconded by Councilmember Baron, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with the exception of Item #15 which was pulled for discussion. Motion passed by the following roll call vote:

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

Those items approved are as follows:

10. **Approve City Council Minutes of June 3, 1997** (Madelyn Paasch, City Clerk)
11. **Approve Warrant Register** (M. Compton, Dir. Of Admin. Svcs.)
12. **Adopt Resolution No. 97-87, Awarding Group Health Insurance Contract to Lifeguard for One Year Effective July 1, 1997** (J. App, Interim City Mgr.)
13. **Adopt Resolution No. 97-88, Adopting the Fiscal Year 1997/98 Maintenance and Operating Budget** (J. App, Interim City Mgr.)
14. **Adopt Resolution No. 97-89, Granting permission to file Development Applications in advance of preparing Airport Specific Plan (Rocha)** (R. Lata, Dir. of Comm. Dev.)
16. **Approve Amendment to Landfill Agreement between the City and United Waste, Inc. to extend Agreement for six months and install a landfill gas system** (J. McCarthy, Dir. of Public Works)
17. **Approve Contract with EMC Planning Group to prepare the Subsequent Environmental Impact Report for the No. County Center of Cuesta Community College** (R. Lata, Dir. of Comm. Dev.)
18. **Authorize Second Reading and Adopt Ordinance 728 N.S., Amending Sections 14.06.132/6 of the Municipal Code ~ Regulation of Well Construction** (J. McCarthy, Dir. of Public Works)
19. **Authorize Second Reading and Adopt Ordinance 729 N.S., Amending Zoning and Municipal Codes with Regards to Streamlining the Development Review Process** (R. Lata, Dir. of Comm. Dev.)

Those items pulled for discussion are as follows:

15. **Adopt Resolution No. 97-90, Authorizing the Execution of a Promissory Note Between the City's Water Operations Fund & Landfill Operation Fund for installation of the landfill gas monitoring & extraction system** (J. McCarthy, Dir. of Public Works)

Jim App pulled this item to amend the promissory note as follows: ".....with accrued interest at the rate of 7.5% per annum from the date of this note for a period of fifteen (15) years".

It was moved by Councilmember Iversen and seconded by Councilmember Macklin, to **approve Resolution 97-90**, amending the promissory note as stated above. Motion passed by the following roll call vote:

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

DISCUSSION ITEMS

20. Design Parameters for Free Standing Signs

Bob Lata, Director of Community Development, presented the amended design parameters for freestanding signs in the Regional Commercial Zoning District.

It was moved by Councilmember Macklin and seconded by Councilmember Iversen to adopt the resolution, amending the sign to advertise 6 tenants. Motion failed.

Following further discussion, it was moved by Councilmember Iversen and seconded by Councilmember Baron to Adopt Resolution No. 97-91, Establishing Design Parameters for Freestanding Signs in the Regional Commercial Zoning District. The resolution is amended to read "sign height shall be limited to 30 feet to the top of the structure" and language shall remain stating "no more than 4 major tenants name shall be placed on the sign". Motion passed by the following roll call vote:

AYES: Baron, Iversen, and Picanco
NOES: Macklin
ABSENT: Swanson

21. Joint School Safety Officer Partnership

Dennis Cassidy, Chief of Police requested City Council confirm action taken on January 7, 1997 concerning the joint School Safety Officer partnership between the City and the Paso Robles Unified School District.

It was moved by Councilmember Iversen and seconded by Councilmember Macklin to Amend January 7, 1997 City Council Minutes to clarify action concerning the School Safety Officer partnership funding thus allowing the Police Department to expend \$7,500 from existing FY 96/97 budget funds. Motion passed by the following roll call vote:

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

CITY MANAGER

WRITTEN COMMUNICATIONS

ADVISORY BODY COMMUNICATION

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

- a. **Library Board of Trustees Minutes of May 8, 1997**
- b. **Housing Authority Minutes of May 13, 1997**
- c. **Parks & Recreation & Senior Citizen Committees Minutes of May 21, 1997**

It was moved by Councilmember Macklin, seconded by Councilmember Iversen, and passed unanimously to receive and file all of the above mentioned minutes.

AD HOC COUNCIL BUSINESS

23. Electric Utility Restructuring

Due to a possible conflict, Councilmember Baron stepped down.

Mayor Picanco indicated the resolution before Council this evening was discussed at the Joint All Cities Meeting in Pismo Beach on June 5, 1997.

Pat Mullen, PG & E, submitted a letter (Attachment C), offering comments and amendments to the original resolution. Paso Robles is the first to receive these amendments.

Following discussion, it was moved by Councilmember Macklin and seconded by Councilmember Iversen to **Adopt the Joint Resolution of Seven City Councils in the County of San Luis Obispo Concerning the Restoration of Property Taxes Taken Away by the State of California from 1992 through 1994.** Motion passed on the following roll call vote:

AYES: Iversen, Macklin
NOES: Picanco
ABSENT: Swanson

At this time, Councilmember Baron resumed is seat at the dias.

24. **Set Date(s) for Advisory Body Interviews**
- Senior Citizen Advisory Board (6 applicants)
 - Parks & Recreation Advisory Committee (7 applicants)
 - Airport Advisory Board (9 applicants)

A tentative date of July 8, 1997 was set for Advisory Body interviews. This item will be placed again on the July 1, 1997 agenda.

25. **Set Date for FY 97/98 Redevelopment Agency Draft Budget Review ~ August**
September 2, 1997 was set for the FY 97/98 Redevelopment Agency Budget review.

26. **Business Licenses** (Lee Swanson)
Item continued to July 1, 1997

27. **Airport Parsons Proposal** (Lee Swanson)
Item continued to July 1, 1997

28. **Landfill Options ~ Consider Third Party Review**
Jim App suggested that the City may wish to have an unbiased third party involved when evaluating options for the landfill. According to Mike Compton, costs for third party review could run from \$4,000 to \$25,000 dependent upon the type and level of review.

STAFF COMMENTS

Bob Lata met with Ken Nelson from Caltrans regarding access to North County Campus at the intersection of Buena Vista and Highway 46. Possible signalization and cost sharing at this intersection were discussed.

ADJOURNMENT

The meeting adjourned at 11:05 pm to Closed Session; a Goal Setting Workshop on June 25, 1997 at 7:00 pm; and to the Regular City Council Meeting on Tuesday, July 1, 1997, 7:30 pm, both held at the Library/City Hall Conference Center, 1000 Spring Street.

CLOSED SESSION:

- a. **Pursuant to Government Code §54954.5(b) ~ Property Acquisition**
Property Description: At or Near Intersection of Scott & Via Ramona
Negotiating Parties: City of Paso Robles
Representing Property Owner - Tom Taylor
Under negotiation: Terms & Conditions of Sale
No action taken.

- b. **Pursuant to Government Code §54954.5(b) ~ Property Acquisition**
Property Description: 0.22 Acres at Intersection of Westfield & Brookhill
Negotiating Parties: City of Paso Robles
Sierra Bonita Homeowners Assoc.
Under negotiation: Terms & Conditions of Sale
No action taken.

- c. **Pursuant to Government Code §54957 ~ Personnel Meet & Confer**
Agency Negotiator: City Manager's Office
Employee Organization: POA
No action taken.

- d. **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 taken.

Respectfully submitted,



Candace Aschle, Deputy City Clerk

(Minutes approved 7/01/97)

RECEIVED

JUN 17 1997

COMMUNITY DEVELOPMENT

Tom Erskine
Post Office Box 510
Paso Robles, CA 93447
Phone: 239-7037

June 17, 1997

Robert A Lata
Community Development Director
City of Paso Robles
1000 Spring Street
Paso Robles, CA 93446

Dear Mr. Lata:

I would like to request that the City Council open the public hearing on General Plan Amendment and Rezone 97003 and General Plan Amendment 97-03B and Rezone 97005.

Upon opening the public hearing I respectfully request that the Council continue the hearing 'til the July 01, 1997 City Council meeting.

Best regards,



Tom Erskine

TE/gh