



OFFICE OF THE
CITY CLERK

CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL JULY 1, 1997

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

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

Pat Mackey praised the Council for the recent goal setting workshop with past & present Councilmembers.

Ray Barksdale announced that the VFW Post has a complete program for the July 4th celebration in the City Park.

Vic Shafer spoke to the City Council regarding traffic concerns on Creston Road.

Eric Greening asked that PRCAT schedules be made available on CCAT.

PRESENTATIONS & CELEBRATIONS

1. July Recognized as "Parks and Recreation Month"

Mayor Picanco announced that the month of July is recognized as "Parks and Recreation Month".

Barbara Partridge made an announcement for the upcoming Library fund-raiser, Mid Summer Night's Magic, which is to be held on July 19, 1997.

Mayor Picanco presented a Certificate of Recognition to Laurie Chapin, Parks & Recreation Department, for her conscientious return of a wallet found in City Park containing \$500.00. The wallet was returned to its owner, an out of town visitor to this area.

RIMC Code:
Date: 07/01/97
File Plan/GE Cat.:
Subject: Minutes
Location: City Clerk
Retention: Permanent
Other:

PUBLIC HEARINGS

It was moved by Councilman Iversen, seconded by Councilman Swanson, to move Items 22 & 23 forward on the agenda and have them heard following Item 5. Motion passed by the following roll call vote.

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

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

Mayor Picanco announced it was the time and place for the continued public hearing to consider request amending Planned Development Permit 95008 and Tentative Tract 2214 construction phasing plan. The project is located at 2000 Creston Road across from Stoney Creek Drive. Bob Lata presented the history of the requested Planned Development.

Mayor Picanco re-opened the public hearing.

Larry Werner addressed the Council on behalf of the applicant. Those speaking in opposition were Vic Prohoff and David Hicks. Coker Ellsworth, applicant, spoke regarding his project.

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

It was moved by Councilmember Iversen, seconded by Councilman Baron to deny the applicant's application for an amendment, and reinstate all the conditions that were previously approved by the City Council.

Motion passed by the following roll call vote:

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

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

Mayor Picanco announced it was the time and place for the continued public hearing to consider request to: (1) change the land use category for a 74 acre parcel located on the east side of Golden Hill Road, approximately ¼ mile north of Highway 46 east from Agriculture to Business Park; (2) change the zoning for same property from Residential Agriculture Planned Development to Planned Industrial; and (3) allow applicant to file development applications in advance of the completion of the Airport Specific Plan.

Mayor Picanco re-opened the public hearing.

Tom Erskine, the applicant addressed the Council. Pat Mackey spoke in regards to the impact of this proposed project. John McCarthy represented the Airport. Those speaking in opposition were Robin Fairbairn and Cynthia Canterbury.

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

It was moved by Councilman Macklin, seconded by Councilman Baron, to Adopt Resolution No. 97-92, Approving A Negative Declaration for General Plan Amendment & Rezone 97003 as amended. Motion passed by the following roll call vote:

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

It was a unanimous consensus of the City Council for approval of General Plan Amendment 97-03(A), but defer formal action until after the public hearing on GPA 97-03(B); and

It was moved by Councilman Baron, seconded by Councilman Swanson, to Introduce and Read by Title Only Ordinance _____ N.S., Amending the zoning map established by reference in Section 21.12.020 of the Zoning Code. Motion passed by the following roll call vote:

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

It was moved by Councilman Macklin, seconded by Councilman Iversen, to Adopt Resolution No. 97-93, Granting permission to file Development Applications in advance of preparing Airport Specific Plan. Motion passed by the following roll call vote:

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

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

Mayor Picanco announced it was the time and place for the continued public hearing to consider changing the land use category for a 25.3 acre parcel located on the northeast corner of Creston Road and Beechwood Drive from 2 units per acre to 4 units per acre residential single family; changing the zoning to reduce lot size; and eliminate the extension of Charolais Road eastward from Creston Road.

Mayor Picanco re-opened the public hearing.

Tom Erskine, the applicant, addressed the Council. Pat Mackie spoke regarding the elimination of a proposed road;

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

A straw vote was called by Mayor Picanco in regards to the rezone at a higher density. Councilmembers Baron, Iversen, Macklin and Swanson voted in favor, with Mayor Picanco voting no.

It was moved by Councilman Macklin, seconded by Councilman Baron to Adopt Resolution No. 97-94, Approving A Negative Declaration General Plan Amendment 97-03(A) & (B) and Rezone 97005. Motion passed by the following roll call vote:

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

It was moved by Councilman Macklin, seconded by Councilman Baron to Adopt Resolution No. 97-95, Approving General Plan Amendment 97-03. Motion passed by the following roll call vote:

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

It was moved by Councilman Macklin, seconded by Councilman Baron, to Introduce and Read by Title Only Ordinance _____ N.S., Amending the Zoning Map, Section 21.12.020 of the Zoning Code, Title 21, Rezone

97005; and that a second reading of this Ordinance will be delayed until such time as the applicant has reached an agreement with the Paso Robles School District regarding fees. Motion passed by the following roll call vote:

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

5. Streamlining Development Review Process (97-004)

Mayor Picanco announced it was the time and place for the public hearing to consider streamlining the development review process with regards to permitted and conditionally permitted land uses. Bob Lata, Director of Community Development presented this item to the Council.

Mayor Picanco opened the public hearing.

Pat Mackey voiced his concerns that this would reduce the ability of developers and builders to appeal to the City Council. Deputy City Attorney, Jon Seitz stated he did not recommend the third paragraph on page 5-4 under options for Planning Commission & City Council. There being no further comments, either written or oral, the public hearing was closed.

It was moved by Councilman Macklin, seconded by Councilman Baron, to Adopt Resolution No. 97-_____, Granting Negative Declaration Status for Zoning Code Amendment 97-004 ~ Permit Streamlining; Introduce and Read by Title Only Ordinance _____ N.S. Amending the Zoning & Municipals Codes to Streamline the Development Review Process.

Following discussion Councilman Baron withdrew his seconding of the motion.

It was moved by Councilman Swanson, seconded by Councilman Iversen, to continue this item until the second meeting in September. Motion passed by the following roll call vote:

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

Mayor Picanco announced Item 22 would be addressed at this time.

The Mayor called for a break at 10:00 p.m. The meeting reconvened at 10:17 p.m.

Mayor Picanco announced Item No. 23 would now be addressed.

6. Tract 2223 Appeal ~ Planned Development 96005

Due to a publication error, staff recommended Mayor Picanco open the public hearing and continue the matter to the July 15, 1997 City Council Meeting.

Mayor Picanco announced it was the time and place for the public hearing to consider Tract 2223 Appeal - Planned Development 96005. Mayor Picanco opened the public hearing. There being no further comments either written or oral, the public hearing was closed.

It was moved by Councilman Iversen, seconded by Councilman Macklin and passed unanimously by voice vote to continue this item to the July 15, 1997 meeting.

7. City Clerk Salary Amendment

Mayor Picanco announced it was the time and place for the public hearing to consider amending the Municipal Code that would provide a monthly stipend for the City Clerk. Madelyn Paasch, City Clerk presented this item for

the City Council's consideration. Mayor Picanco opened the public hearing. There being no comments, either written or oral, the public hearing was closed.

It was moved by Councilman Iversen, seconded by Councilman Baron, to Introduce and Read by Title Only Ordinance _____ N.S., Amending Chapter 2.40, Section 20.40.030 of the Municipal Code ~ City Clerk Salary. Motion passed by the following roll call vote:

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

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

**CALL TO ORDER**      Agencymembers Tom Baron, Chris Iversen, Walt Macklin, Duane Picanco, and Chairman Lee Swanson

Due to a possible conflict of interest, Agencymembers Baron, Macklin and Swanson stepped down, therefore declined participation. Those Agencymembers who declined participation then drew straws to determine who would chair the meeting and sit on the Agency for a quorum. Agencymember Macklin was chosen to chair the meeting and joined Agencymembers Iversen and Picanco.

**DISCUSSION**

**8.      Facade Improvement Program Funding Request**

Consider reopening and funding the City's facade improvement program for the purpose of assisting McLintock's Restaurant in the 100F Building.

It was moved by Agencymember Picanco, seconded by Agencymember Iversen, and unanimously approved by voice vote of 3/0 to direct staff to incorporate \$25,000 in funding for a facade improvement application for PM&D facade improvements to the 100F Building as part of the Redevelopment Agency budget for FY 97/98; and direct staff to provide PM&D the same program parameters as had been offered to funding the previous facade improvement projects.

Agencymembers Baron and Swanson returned to their respective seats.

**ADJOURN TO CITY COUNCIL MEETING**

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CONSENT CALENDAR

The **Consent Calendar** was approved upon motion by Councilmember Baron, 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 Item 10, which was 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:

9. Approve City Council Minutes of June 17, 1997 (Candace Aschle, Deputy City Clerk)
11. Authorize Second Reading and Adopt Ordinance 730 N.S., Amending Section 21.19.070~Code Amendment 97005, Wall & Projecting Signs ((R. Lata, Dir. of Comm. Dev.)
12. Authorize Second Reading and Adopt Ordinance 731 N.S., Approving Zone Change 97-006 ~ Kiessig Annexation #74 (R. Lata, Dir. of Comm. Dev.)
13. Adopt Resolution No. 97-96, Approving a Lease Agreement Amendment with the County of San Luis Obispo, Dept. of Social Services (M. Compton, Dir. of Admin. Svcs.)
14. Adopt Resolution No. 97-97, Awarding Employee Assistance Plan Contract to Managed Health Network Effective July 1, 1997 (J. App, Interim City Mgr.)
15. Authorize Police Department to seek Block Grant monies available through the Department of Justice for installation of video recording equipment in police vehicles (D. Cassidy, Chief of Police)
16. Adopt Resolution No. 97-98, Approving the Execution of a Contract to provide State Mandated Cost Claiming Services to David M. Griffith & Assoc. (M. Compton, Dir. of Admin. Svcs.)
17. Adopt Resolution No. 97-99, Authorizing a Two Year Contract with the San Luis Obispo County Dept. of Animal Regulation for Animal Control Services (D. Cassidy, Chief of Police)

Those items pulled for discussion are as follows:

10. Approve Warrant Register (M. Compton, Dir. Of Admin. Svcs.)
Councilman Macklin requested this item be removed to ask for clarification on the warrant register. It was moved by Councilman Macklin, seconded by Councilman Baron to approve the warrant register. Motion passed by the following roll call vote:

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

DISCUSSION ITEMS

18. Tract 1771 Amendment ~ Charolais Road Phase Improvements
Consider applicant's request to amend Tract 1771 amending the Subdivision Agreement to allow the improvements of Charolais Road to be completed in phases. Tract 1771 is located on the north side of Charolais Road between South River and Rambouillet Road.

Those speaking in opposition were: Rod Correio Dr. Paul Mozak, Sue Corrio, and Jay Packer.

It was moved by Councilman Iversen, seconded by Councilman Baron, to continue this item to the meeting of July 15, 1997 and to direct staff to renotece residence within 300 feet of the entire project. Motion passed by the following roll call vote:

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

19. Airport Property Lease ~ Pacific Management Development

Consider a thirty (30) year lease at the Airport with Pacific Management & Development for Parcel 51 of PRAL 80-53. The parcel is for developing a site for Treana Winery. John McCarthy presented this item for the City Council's consideration.

It was moved by Councilman Macklin, seconded by Councilman Iversen, to approve the lease with Exhibit "A", an option to extend term of lease for ten (10) years, as amended by Deputy City Attorney .

Motion did not pass by the following roll call vote of 2/3:

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

It was moved by Councilman Baron, seconded by Councilman Swanson to change the term of lease to 20 years + 5 year option to renew. Following discussion and public comment, Councilman Baron withdrew his motion.

It was moved by Councilman Iversen, seconded by Councilman to approve lease as amended by the Deputy City Attorney with Exhibit "A" an option to extend term of lease for ten (10) years. Motion passed by the following roll call vote:

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

20. Financial Auditing Services Contract

Consider approving a financial auditing services contract for a term of three (3) years.

It was moved by Councilman Baron, seconded by Councilman Swanson to Adopt Resolution No. 97-100, authorizing a contract with Moss, Levy and Hartzheim for annual financial auditing services.

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

21. Transit Fares Modification

Consider adjusting transit system fares effective August 1, 1997. Mike Compton, Director of Administrative Services presented this item to the City Council for their consideration.

It was moved by Councilman Iversen, seconded by Councilman Baron to adopt Resolution No. 97-101, Modifying the Transit System Free Fare Policy and increasing Dial-A-Ride transit fares; and amend fixed route fares to reflect a seventy-five cents (\$0.75) increase per ride. Motion passed by the following roll call vote:

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

22. Airport Development Proposal ~ Parsons Corporation

John McCarthy presented to Council for their consideration a proposal by Parsons Corporation to advise regarding industrial development of a designated 10 - 20 acre portion of the Paso Robles Airport. Mr. Steve Stretchberry from Parsons Corporation - Director of Aviation Services, made a presentation to the City Council.

Roy Boise and Pat Mackie spoke in favor of the development of the airport. Wayne Harris wanted to know work they have done.

It was moved by Councilman Swanson, seconded by Councilman Baron and passed unanimously by voice vote to authorize Public Works Director, John McCarthy, to enter into negotiations with Parsons Corporation and define a scope of services to provide the following: design review and general consulting services for development of the south end of the west side industrial area; financial consulting and marketing services; future planning services for development of 100+ acres at the north end of the west side industrial area.

23. Niblick Bridge Roundabout Feasibility

John McCarthy presented for the Council's review the Roundabout Feasibility Study For The Intersection Of Niblick And Spring Street. Mr. Doctors, of Ourston & Doctors made his presentation to the City Council.

Those speaking in favor were Eric Greening, Ron DeCarli, Pat Mackey spoke in favor. Those speaking in opposition were Pat Connelley, Ursula Fitzgerald, Tom Rush, and Nick Ferravanti.

It was moved by Councilman Macklin, seconded by Councilman Swanson, and passed unanimously by voice vote, to continue this item to the August 5, 1997 meeting.

CITY MANAGER

WRITTEN COMMUNICATIONS

24. EOC Health Services Request

EOC requests the City to waive fee at Centennial Park to conduct citizenship examinations.

Rosa Salsado spoke on behalf of EOC requesting a waiver of the \$60.00 fee.

It was moved by Councilman Macklin, seconded by Councilman Swanson, to instruct staff to waive fees for the EOC for 1 year. Motion passed by the following roll call vote:

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

ADVISORY BODY COMMUNICATION

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

It was moved by Councilman Macklin, seconded by Councilman Baron and passed unanimously by voice vote to receive and file the minutes of the Senior Advisory Committee and the Housing Authority.

26. Confirm July 8, 1997 for Advisory Body Interviews

- Senior Citizen Advisory Board (6 applicants)
- Parks & Recreation Advisory Committee (7 applicants)
- Airport Advisory Board (9 applicants)

It was the consensus of the City Council to reappoint the incumbents for the Senior Citizen Advisory Board and the Parks and Recreation Advisory Committee; and to leave the vacancy on the Airport Advisory Board until the end of the vacancy term.

AD HOC COUNCIL BUSINESS

27. Business Licenses (L. Swanson)

Mike Compton addressed this item. He and Councilman Swanson have met regarding this item. It was the consensus of the City Council to have staff investigate ways to improve policies and process business licenses.

28. Salinas Dam Expansion Environmental Impact Report

John McCarthy stated he and Councilman Baron will attend a meeting on July 3, 1997. It was the consensus of the Council to adjourn to the meeting on July 3, 1997 at 5:00 p.m. John Moss of the City of San Luis Obispo was also available for any questions the Council had.

It was moved by Councilman Macklin, seconded by Councilman Swanson and passed unanimously by voice vote to adjourn to Closed Session. Motion to adjourn by Macklin/Swanson.

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.**

Following discussion, it was moved by Councilman Swanson and seconded by Councilman Baron to approve the Kleinhammer vs. City of Paso Robles settlement in the amount of \$550,000 and authorize the Interim City Manager to execute the settlement agreement and mutual lease. Motion passed on a 5/0 vote.

- b. **Pursuant to Government Code §54954.6(e)
Public Employee Early Retirement
Director of Community Services**

No Action Taken

- c. **Pursuant to Government Code §54954.6(e)
Public Employee Early Retirement
Fleet Superintendent**

Following discussion, it was moved by Councilman Swanson and seconded by Councilman Baron to accept the retirement of the Fleet Supervisor. Motion passed on a 5/0 vote.

ADJOURNMENT: to a Meeting on the Salinas Dam Expansion Environmental Impact Report on Thursday, July 3, 1997; and to the Regular City Council Meeting on Tuesday, July 15, 1997, 7:30 p.m. at the Library/City Hall Conference Center, 1000 Spring Street.

Respectfully submitted,


Madelyn Paasch, City Clerk

(Minutes approved August 5, 1997)