



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 SEPTEMBER 16, 1997

CALL TO ORDER

PLEDGE OF ALLEGIANCE

Led by Councilmember Swanson

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

PRESENTATIONS & CELEBRATIONS

1. Voices for Children Presentation

Wendy Most, Executive Director of Court Appointed Special Advocates gave a presentation on the organization and their need for volunteer CASAs.

2. Paso Robles North County Transportation

John McCarthy introduced Mr. Carl Schiermeyer, who presented the final result of Public/Private Partnership study of the Train Stations in San Luis Obispo County.

PUBLIC HEARINGS

None

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 Items 3 and 10, which were pulled for discussion. Motion passed by the following roll call vote:

RIMC Code:
Date: 09/16/97
File Plan/GE Cat.:
Subject: Minutes
Location: City Clerk
Retention: Permanent
Other:

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

Those items approved are as follows:

4. Approve Warrant Register (M. Compton, Dir. Of Admin. Svcs.)
5. Approve the Pilot Program for the treatment of Chemron Corporation wastewater effluent (J. McCarthy, Dir. of Public Works)
6. Adopt Resolution No. 97-122, Awarding the low bid for Annual Sidewalk Replacement 1997/98 FY to Stan Phillips Concrete (J. McCarthy, Dir. of Public Works)
7. Adopt Resolution No. 97-123, Appropriating funding for modifications to First/Spring/Niblick intersection (J. McCarthy, Dir. of Public Works)
8. Adopt Resolution No. 97-124, Accepting and approving the execution and recordation of the final map & subdivision agreement for Tract 1632-5 (Priske-Jones); adopt Resolution No. 97-125, annexing tract 1632-5 pas part of subarea 2 to the P.R. Landscape & Lighting District No. 1 (J. McCarthy, Dir. of Public Works)
9. Adopt Resolution No. 97-126, Approving a Resolution of Intent, amending a contract between the City of Paso Robles and the Public Employees' Retirement System (PERS) (J. App, City Mgr.)

Those items pulled for discussion are as follows:

3. Approve City Council Minutes of September 2, 1997 (Madelyn Paasch, City Clerk)
Mayor Picanco pulled this item for discussion regarding clarification of Item 11 of the September 2, 1997 minutes.

It was moved by Councilmember Macklin, seconded by Councilmember Swanson, to bring this matter back for further discussion at the October 7, 1997 City Council meeting. Motion passed by the following roll call vote:

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

10. Adopt Resolution No. 97-127, Approving & authorizing the execution of the FY 1997-98 claim for local transportation funds and State transit assistance funds (M. Compton, Dir. of Admin. Svcs.)
Councilmember Macklin requested this item be pulled for discussion.

It was moved by Councilmember Macklin, seconded by Councilmember Swanson, to Adopt Resolution No. 97-127, Approving & authorizing the execution of the FY 1997-98 claim for local transportation funds and State transit assistance funds. Motion passed by the following roll call vote:

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

DISCUSSION ITEMS

11. Long Term Lease Agreement ~ Carnegie Historic Library

Consider proposal by the Historical Society for lease of the Carnegie Historic Library Building. Deputy City Attorney Jon Seitz, gave an overview of the proposed lease.

Those from the public speaking to this matter were Greg Stowell, Steve Sefton and Rex Saint-Onge.

It was moved by Councilmember Baron, seconded by Councilmember Iversen, to **appoint Councilmember Swanson and Mayor Picanco to serve as the Ad Hoc Committee members to address this matter.** Motion passed by the following roll call vote:

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

It was moved by Councilmember Macklin, seconded by Councilmember Swanson, to **bring this matter back to the meeting of November 4, 1997.** Motion passed by the following roll call vote:

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

12. Code Violations ~ 1946 Oak Street

Due to a possible conflict of interest, Councilman Iversen stepped down, therefore declined participation.

Consider options regarding a carport constructed without a building permit and zoning code violations for setbacks, building separations, and building code requirements for fire separation walls. Those from the public speaking to this item were Dawn McGee and Harold Plemons.

It was moved by Councilmember Macklin, seconded by Councilmember Swanson, to **Direct staff to prepare amendment to the zoning and building codes to allow for zero or diminished setbacks for recreational vehicle shelters, subject to approval of a conditional use permit.** Motion passed by the following roll call vote:

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

Councilmember Iversen returned to his seat.

It was moved by Councilmember Iversen, seconded by Councilmember Baron and passed unanimously by a voice vote of 5/0 to move Item 22 forward at this time.

13. North County Transportation Center Facility Update

John McCarthy presented an update on status of the Paso Robles North County Transportation Center Facility.

It was the consensus of the Council to **Receive and file report.**

14. Rail Depot Rehabilitation

Bob Lata, Community Development Director, presented an oral report to consider and hear community input regarding rehabilitation of the Historical Rail Depot.

It was moved by Councilmember Swanson, seconded by Councilmember Macklin, and passed unanimously by a voice vote of 5/0 to receive and file.

15. Transit Capital Improvement ~ SLOCOG Grants

Consider submitting project applications to rehabilitate the Old Depot and for additional improvements to the permanent platform such as drainage and landscaping.

Those from the public speaking were Velta Williams and Robert Singleton.

It was moved by Councilmember Iversen, seconded by Councilmember Swanson, and passed unanimously by a voice vote of 5/0 to direct staff to submit project applications for Transit Capital Improvement funds as follows:

1. **Rehabilitation of the Old Depot in the amount of \$200,000 and using \$100,000 of the money received from Union Pacific Railroad for the matching portion.**
2. **Additional landscaping, drainage and grading improvements adjacent to the platform in the amount of \$150,000.**

Mayor Picanco called for a break at 9:35 p.m.

The meeting reconvened at 9:45 p.m.

16. State Highway Account ~ SLOCOG Grants

Consider submitting project applications for the next programming cycle for State Highway Accounts (SHA) and Surface Transportation (STP) fund allocations.

John McCarthy presented this item to the Council for discussion.

Those from the public speaking were George Finnegan.

It was moved by Councilmember Macklin, seconded by Councilmember Iversen, and passed by a voice vote of 3/2 (Baron/Swanson voting no) to direct staff to submit the following projects for the Urban SHA grant:

- a) **Rehabilitate/reconstruct Riverside Avenue from 13th Street to 21st Street.**
 - b) **Rehabilitate/reconstruct Paso Robles Street from Highway 101 to 13th Street; and**
- Submit the list of candidate projects (in order of priority) for possible funding with regional SHA grant.**

17. Paso Robles Redevelopment Project Area Committee

Determine status of the Project Area Committee and/or fix terms for upcoming vacancies thereon. Jim App presented this to the City Council for discussion.

Those from the public speaking to this item were Nick Gilman, chairman of PAC and Larry Werner.

It was moved by Councilmember Macklin, seconded by Councilmember Iversen, to request Project Area Committee to initiate amendment of the Bylaws to extend the Committee past November, 1999. Motion passed by the following roll call vote:

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

18. Expenditure Control Program

Review recommendations of the Council Ad Hoc Fiscal Policy Committee relating to the Expenditure Control Program. Mike Compton, Administrative Services Director presented this matter to the City Council.

It was moved by Councilmember Swanson, seconded by Councilmember Macklin, to **approve modifications as proposed by the Council Ad Hoc Fiscal Policy Committee.** Motion passed by the following roll call vote:

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

19. Workforce Restructuring Status Report

Receive a status report concerning workforce restructuring as considered in the City's Fiscal Year 1998 Operating Budget. Jim App presented the report to the Council for their consideration.

It was moved by Councilmember Swanson, seconded by Councilmember Macklin and passed unanimously by a voice vote of 5/0 to receive and file the Workforce Restructuring Status Report.

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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

**DISCUSSION**

**20. Status of Property at 4<sup>th</sup> & Spring/4<sup>th</sup> & Pine Streets**

Consider entering into an "Exclusive Right to Negotiate" Agreement with Pacific Management and Development (PM&D) regarding sale and development of property located at the northeast corner of Spring and 4<sup>th</sup> Streets, and provide staff with direction regarding the status of the 4<sup>th</sup> & Pine property.

Those speaking from the public were Nick Gilman, Jim Saunders and Ron Rose.

**ACTION: 4<sup>th</sup> & Spring**

It was moved by Agencymember Iversen, seconded by Agencymember Baron, to **Direct staff to prepare an "Exclusive Right to Negotiate" Agreement with PM&D. Unless otherwise directed, the Agreement would have a term of six (6) months within which time the City would further evaluate the PM&D proposal, and a City Council ad hoc subcommittee would negotiate the scope of development, a sale price, and also any City/Agency financial participation/assistance in development of the subject property. Following discussion the motion was amended to "...have a term of three (3) months...".** Motion passed by the following roll call vote:

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

**ACTION: 4<sup>th</sup> & Pine**

It was moved by Agencymember Iversen, seconded by Agencymember Baron, to **Delay sending out RFPs until a later date, allowing an opportunity to study other options for the utilization of the property and to refer this matter to the PAC for a sixty (60) day review and report back to the Redevelopment Agency, with the understanding that should a favorable project come forward, the review process would end.** Motion passed by the following roll call vote:

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

It was moved by Agencymember Macklin, seconded by Councilmember Picanco, to appoint Councilmembers Iversen and Baron to the Ad Hoc Subcommittee to negotiating the scope of the development, sale price, and any City/Agency financial participation/assistance in development of the subject property. Motion passed by the following roll call vote:

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

It was moved by Councilmember Iversen, seconded by Councilmember Macklin to concur with the decisions of the Redevelopment Agency on Options for 4th and Spring and 4th and Pine Streets. Motion passed by the following roll call vote:

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

**ADJOURN TO CITY COUNCIL MEETING**



**CITY MANAGER**

**21. Economic Strategy/Development Workshop**

Consider a discussion outline for a September 30, 1997 public workshop concerning the community's economic strategy and development.

Discussion only; no action taken.

**WRITTEN COMMUNICATIONS**

**22. Sewer Interceptor Line Connection Request ~ CGC Enterprises**

Jim App presented this item to the Council and introduced Camille Politte, president of CGC Enterprises.

It was moved by Councilmember Iversen, seconded by Councilmember Swanson, to authorize the Mayor, City Manager and City Attorney to execute documents that address the issue of indemnification as well as capacity issues with Templeton Community Services District. Motion passed by the following roll call vote:

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

Councilmember Baron stated he had five telephone conferences with Ms. Politte since last February.

**ADVISORY BODY COMMUNICATION**

**23. Receive and File Minutes for the Following Advisory Meetings:**

- a. Citizens Airport Advisory Minutes of July 17, 1997

It was moved by Councilmember Swanson, seconded by Councilmember Macklin and passed unanimously by a voice vote of 5/0 to Receive and File.

**AD HOC COUNCIL BUSINESS**

**24. FCC Notice of Proposed Rule Making ~ Siting of Broadcast Transmission Facilities (W. Macklin)**

Councilmember Macklin presented this information to the City Council for their information. It was the consensus of the Council to have staff to communicate in writing the Council's feelings on this matter.

**CLOSED SESSION:**

- a) Pursuant to Government Code §54957 - Personnel Meet & Confer  
Agency Negotiator: City Manager's Office  
Employee Organization: POA

No Action

- b) Pursuant to Government Code §54956.7 ~ Anticipated litigation  
Conference with legal Counsel  
Significant exposure to litigation (Facts & circumstances not known)  
Number of Cases: 1

No Action

It was moved by Councilmember Baron, seconded by Councilmember Macklin, to adjourn to Closed Session.

**ADJOURNMENT:** to THE ECONOMIC STRATEGY WORKSHOP ON TUESDAY, SEPTEMBER 30, 1997, AT 7:00 P.M. AND SUBSEQUENTLY TO THE REGULAR CITY COUNCIL MEETING ON TUESDAY, OCTOBER 7, 1997, 7:30 PM, BOTH HELD AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Respectfully submitted,

  
Madelyn Paasch, City Clerk

(Minutes approved 10/21/97)