



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

APRIL 7, 1998

CALL TO ORDER

PLEDGE OF ALLEGIANCE

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

Ronnie Shaw, 915 Pacific St., Morro Bay, is associated with the Paso Robles Juvenile Diversion Program and invited the citizens of Paso Robles to attend the AmeriCorps Youth Community Garden. This will be held on April 11, 1998.

Pat Mackie, 2940 Union Road, attended the Nacimiento Advisory Committee. During this meeting Nancy Rollman, SLO County, announced that the Nacimiento Pipeline could not be built as proposed due to total blockage of traffic. Ms. Rollman stated that a new draft EIR exploring alternate routes would have to be prepared.

Dell Velten addressed the poor condition of River Road between Creston Road and Niblick and asked if any plans to repair this road were in the future. Mayor Picanco indicated that this issue is currently being discussed.

Vic Shafer, 1760 Creston Road, commented that the stop sign on Santa Ynez has improved the traffic conditions on Creston Road.

Dee Lacey representing ACORN, presented the City with a check in the amount of \$25,000 for the Barney Schwartz Park project.

PRESENTATIONS & CELEBRATIONS

1. **Proclamation "Celebrating Loaves & Fishes 15th Anniversary"**

Mayor Picanco read and presented the proclamation to Jacqueline Sebros.

RIMC Code:
Date: 04/07/98
File Plan/GE Cat.:
Subject: Minutes
Location: City Clerk
Retention: Permanent
Other

of skaters may arrive from out of town, when skateboarders of driving age will be attracted to the track. This may change if more cities had their own skateboard track.

Skateboarders generally appreciate any track designed for them, based on lack of alternative places to skate.

Most skaters behave responsibly and police themselves in order to retain their use of the track.

Why is the Stuart Larsen proposal better?

We believe the Larsen proposal is a better opportunity for the city because it is predicated, in part, on two tenants who have already agreed to participate at the lease amounts indicated.

We believe our lease rate is conducive to keeping the facility at maximum occupancy throughout the term of the lease thereby guaranteeing a high and consistent rate of return for the city.

The Larsen proposal has a minimum of cost items which could reduce percentage income to the city.

The Larsen proposal includes full ownership of both the land and the improvements by the city while still giving a high lease income per square foot. The city also gains the higher property value, for inventory and collateral purposes, of both land and appurtenances.

The shorter lease period gives the city better control over its property and potential income.

The Larsen proposal puts new businesses in place, providing jobs and income to the city in the shortest period of time.

The Larsen proposal also looks at the provision of a new foundation for the present, historic depot if it is both necessary and desirable. This will be investigated during the first phase of the project.

**Response to staff analysis of RFPs for
City of Paso Robles historic train station**

April 7, 1998

There are two RFPs. One is by Depot Associates [DA] and the other is by Stuart Larsen [SL]. The comparisons between the two projects may not be valid because the two proposals were bid on different criteria.

The bid was supposed to be based on the existing historic depot and the "bunkhouse" duplex that was removed from the Busi property and moved to the depot site in 1997. The SL bid did that but the DA bid included an additional land lease area of 4,224 square feet of space.

The extra space used by the DA bid removes approximately 22 parking spaces from the original site design of the new depot and property utilization proposal and creates a need for the provision of 40 additional parking spaces.

The SL plan includes the bunkhouse and retains the historic integrity of the old depot. The DA plan proposes removal of the bunkhouse and drastically changes the character and appearance of the historic depot.

Staff indicates that the DA proposal would return more money to the city. This is a difficult statement to make because of the differences in the proposals:

DA proposes a 50 year land lease from the city with DA holding permanent title to all of the structures. SL proposes a 30 year lease of the land and structures with all property and improvements reverting to the city at the end of the lease.

DA proposes 15% of net as a lease payment after one year while SL proposes 25%. DA charges a 6% rental agent's fee as an expense against that net. SL does not propose any cost of that kind.

DA's proposed sub-lease/rents are a minimum of 80¢/sq.ft. for space while SL proposes a maximum of 75¢/sq. ft. The higher rent could be a hindrance to filling the space under the DA proposal. SL already has two pre-committed tenants at their proposed rate. Filled space will yield more income to the city than vacant space.

DA's \$400 minimum lease payment begins after the first year and in lieu of a greater percentage amount. Based on equivalent square footage, pre-leases and percentages the SL proposal is financially more favorable for the city.

Financial participation by the city varies between the two proposals primarily because of the difference in what is being leased. With the city retaining ownership of both land and improvements under the SL proposal, it is appropriate that it bring to the table the insurance settlement money from the fire that produced the damage that has to be repaired. Also, with title vesting in the city for new improvements, it is appropriate that the city co-sign the loan for that work. If SL could commit the property as security for the loan it wouldn't need other collateral [such as a city co-signature]. However, without ownership the loan is unsecured.

DA's proposal would allow them to offer the historic depot and other improvements as collateral for their construction loan. Therefore, no signature of the city is necessary. The choice for the city is between giving up property [for DA] or giving up a signature [for SL].

SL has collateral both in this county and elsewhere. SL owns four pieces of unencumbered property in San Luis Obispo County totaling over 100 acres. SL also owns a slightly encumbered, proposed subdivision in the Bay Area with a current appraisal on it of \$370,000.

However, for the proposed project to stand alone it requires either ownership of on-site collateral or an appropriate co-signature.

2. **Proclamation for "Alcohol Awareness Month"**
Mayor Picanco read and presented the proclamation to Christina Hatch.

3. **Proclamation for "Volunteer Appreciation Week"**
Barbara Partridge, Georgie Van de Kamp, and Dollie Bader were present to accept the proclamation from Mayor Picanco.

Addendum Item

3a. **Barney Schwartz Park - Phase One Proposal**

Don LaValle, 5125 Stockdale Road, is Co-Chair of the Sports Park Task Force. Mr. LaValle discussed how the Task Force intended to proceed and where they were on the project. Letters were submitted from Bauer Speck, the Boys & Girls Club, the Chamber of Commerce, and Flamson Middle School in support of the project. Elizabeth Gallagher from the soccer club is in support of the park as the present fields are in poor condition. Newlin Hastings spoke of plans to build four soccer and four baseball fields and asked staff to continue to working with them on the park.

Following discussion, it was moved by Councilmember Baron and seconded by Councilmember Swanson to direct staff to place this item on a future agenda for formal action.

Dale Schwartz, brother of Barney Schwartz, donated \$5,000 towards Barney Schwartz Park.

PUBLIC HEARINGS

4. **Public Facilities Development Impact Fee ~ Bridges**

Mayor Picanco announced it was the time and place for the continued public hearing to consider a partial reinstatement of the public facilities development impact fee for bridges.

Mayor Picanco opened the public hearing.

Dale Gustin, 246 12th Street, questioned if the action to be taken is legal, and what the fiscal impact would be if the entire bridge fee was not enacted.

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

In answer to Dale Gustin's second question, Councilmember Baron stated the total annual difference would be \$228,900, therefore taking 33 years to fund an \$11 million bridge. City Attorney, Iris Yang addressed the legality of this action by stating that this is not a new fee. A few years ago Council suspended a portion of the fee temporarily and tonight is only a result of action taken previously.

It was moved by Councilmember Iversen, and seconded by Mayor Picanco to Adopt Resolution No. 98-47, reinstating a portion of the suspended public facilities development impact fee; direct staff to prepare an ordinance to include residential and industrial; and to review these fees annually.

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

5. **1998 Community Development Block Grant Program**

Mayor Picanco announced it was the time and place for the public hearing to consider activities for funding with the City's 1998 Community Development Block Grant (CDBG) funds and with reallocated unspent 1996 CDBG funds.

Mayor Picanco opened the public hearing.

Sandy McLaughlin, the new Executive Dean for the North County Cuesta College campus spoke in favor of the child care center on Cuesta campus. She indicated that the money will be used for the facility and not staffing.

Those speaking in favor of a Skate Board Park were Frank Mecham, 142 15th Street, Kate Davis, 1800 Lake Nacimiento Drive, Jeremy Johnson, 475 Vine Street, Richard Rye, 1142 Patricia, Corey Kelley, 275 San Fernando, and Josh Carr. Jeremy Johnson distributed general information about skateboarders and skateboard tracks (Attachment A).

Jaime Corvera, 127 Ginger Lane expressed a concern that some of the projects under consideration do not relate to low income projects such as handicap access.

Ilene Allen, Executive Director of North County Women's Shelter, is requesting funding to upgrade their electrical system at the shelter. Approximately 40% of those staying at the shelter are from Paso Robles.

Jackie Sebros, Director of Loaves & Fishes, spoke on behalf of the Cuesta Day Care Center.

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

Following discussion, it was moved by Councilmember Baron and seconded by Councilmember Swanson to Adopt Resolution No. 98-48, approving those projects to be funded with 1998 CDBG funds and with reallocated 1996 CDBG funds as presented. Motion passed on the following roll call vote:

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

6. Street Name Change ~ Erskine

Mayor Picanco announced it was the time and place for the public hearing to consider request by applicant to change the name of Engine Avenue to Germaine Parkway, and the Planning Commissions proposed modification of the street name to Germaine Way.

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

It was moved by Councilmember Swanson and seconded by Councilmember Macklin to Approve the Planning Commission recommendation and adopt Resolution No. 98-49, changing the name of Engine Avenue to Germaine Way. Motion passed on the following roll call vote:

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

**DISCUSSION**

**7. Low & Moderate Income Housing Fund: Options for Use**

Consider options for use of Redevelopment Low and Moderate Income Housing (LMIH) Fund moneys.

**Ruben Tate**, 1732 Ponderosa Lane, Chair of Housing Committee of PAC, indicated that it was important not to lose the support of the County.

**Jackie Sebro**, Loaves & Fishes, expressed the need for low income housing.

**Jeannette Duncan**, Peoples Self Help Housing, recommends option A, and would like to work with PAC to decide the best area for the project.

**Dale Gustin**, 246 12<sup>th</sup> St., encourages Council to adopt option A.

It was moved by Agencymember Baron and seconded by Agencymember Picanco to prepare a resolution for adoption at a future meeting, allocating \$200,000 of LMIH funds to purchase & develop the .66 acre property located on the NW corner of Spring & 32<sup>nd</sup> Streets and initiate a request for proposals to develop the property with senior low income housing. Motion passed by the following roll call vote:

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

**8. Resubordination criteria for 2<sup>nd</sup> & 3<sup>rd</sup> Mortgage Loans**

Review criteria requests to resubordinate second and third mortgages funded with Low and Moderate Income Housing (LMIH) funds.

Councilmember Baron would like to go on record that he is against tax payers federal money going towards moderate income as it should only be for low income families.

It was moved by Councilmember Macklin and seconded by Councilmember Iversen to adopt Resolution No. RA98-04, establishing criteria for resubordination of 2<sup>nd</sup> & 3<sup>rd</sup> mortgages funded by low & moderate income housing funds. Motion passed by the following roll call vote:

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

**9. California Home Loan Insurance Fund**

Consider withdrawing participation in the California Home Loan Insurance Fund's (CAHLIF) 97% Pledge Pool Program.

It was moved by Councilmember Macklin and seconded by Councilmember Iversen to adopt Resolution No. RA98-05, to withdraw participation in the CAHLIF 97% Loan Pledge Pool Program. Motion passed on the following roll call vote:

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

**ADJOURN TO CITY COUNCIL MEETING**





## **CONSENT CALENDAR**

The Consent Calendar was approved upon motion by Councilmember Macklin, seconded by Councilmember Swanson, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with the exception of Items 11 and 13 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:

10. **Approve Warrant Register** (M. Compton, Dir. Of Admin. Svcs.)
12. **Approve waiving of tipping fees for construction debris associated with the Phase I construction of the Cuesta College No. County Campus** (J. McCarthy, Dir. of Public Works)
14. **Adopt Resolution No. 98-50, for intention to abandon a portion of Ronan Road & set a time and place for a public hearing** (J. McCarthy, Dir. of Public Works)
15. **Adopt Resolution No. 98-51, annexing CUP 95-018/PD95-007 as part of subarea 35 to the P.R. Landscape & Lighting District No. 1** (J. McCarthy, Dir. of Public Works)
16. **Adopt Resolution No. 98-52, accepting offers of dedication along Theatre Drive & easements for public access & utilities for public road purposes; Adopt Resolution No. 98-53, annexing PD 95-009 as part of subarea 34 to the P.R. Landscape & Lighting District No. 1** (J. McCarthy, Dir. of Public Works)
17. **Adopt Resolution No. 98-54, Appropriating funds for the acquisition of equipment** (M. Compton, Dir. of Admn. Svcs.)
18. **Adopt Resolution No. 98-55, approving bylaws for the establishment and operations of a Transit Advisory Committee** (M. Compton, Dir. Of Admin. Svcs.)
19. **Adopt Resolution No. 98-56, amending the City's Classification & Compensation Plan to add a Senior Mechanic class** (D. Fansler, Mgt. Analyst)
20. **Authorize 2<sup>nd</sup> reading and approve Ordinance 744 N.S. Amending Section 21.19.070 of the Municipal Code, Code Amendment 97008** (R. Lata, Dir. of Comm. Dev.)

Those items pulled for discussion are as follows:

11. **Receive and File Update on stop signs at Creston and Santa Ynez** (J. McCarthy, Dir. of Public Works)  
Councilmember Baron pulled this item to commend Officer Burton for a fine job in patrolling Creston Road.
13. **Approve new long term agricultural lease for 40 acres within the clear zone of the Paso Robles Municipal Airport.** (J. McCarthy, Dir. of Public Works)  
Councilmember Baron requested the City Attorney, Iris Yang, explain this lease. It was moved by Councilmember Baron, seconded by Councilmember Swanson and passed unanimously to approve the agricultural lease.

*Break 9:30 p.m. – 9:40*

## **DISCUSSION ITEMS**

### **21. Street Abandonment, 98-001 ~ Packer Enterprises**

Consider overriding the Planning Commission's vote to deny an abandonment of a portion of Riverside Avenue. The 750 Feet of Riverside Avenue is located at the northern most end, continuing under the Highway 101 overpass and extend to the Hot Springs.

Jay Packer, applicant, requests abandonment however, will not deny emergency access if approved. The additional 36 feet will be used for landscaping and to build a future mini-storage.

It was moved by Councilmember Iversen and seconded by Councilmember Macklin to deny abandonment request based on the absence of public benefit; the need for right-of-way to extend the street; that the road is needed for a secondary access road to the Hot Springs property. Motion passed on the following roll call vote:

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

### **22. Rehabilitation & Reuse of Historic Paso Robles Rail Station**

Consider proposals for rehabilitation and reuse of the Historic Paso Robles Rail Station.

Fred Strong, representing Stuart Larsen, spoke of the advantages of approving the Larsen proposal (Attachment B) and states the other bid did not meet the requirements, therefore it should be rejected. Stuart Larsen showed slides to the Council and discussed ample parking. Mr. Larsen requests the City to co-sign on a \$350,000 loan.

Nick Gilman, representing Depot Associates, indicated that the plans did not include the bunk house as there is no significant value in the building.

Greg Luke, California Railroaders, would like the warehouse to be built, and then would like to spearhead putting the depot back to its original state. Suggests the City adds another building for retail space and give the California Railroaders a year to put the depot back in its original state. They will care for the maintainance.

Newlin Hastings stated the railroaders may be able to restore the building as Greg Luke indicated and added this proposal would fit with the theme.

Following discussion, it was moved by Councilmember Macklin and seconded by Councilmember Baron to Negotiate terms of a lease agreement with Depot Associates. Motion passed on the following roll call vote:

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

### **23. 1988 Park Land Conservation Act Grant**

Consider redirecting funds from the California Wildlife, Coastal and Park Land Conservation Act to suggested projects that may be eligible for immediate reimbursement.

It was moved by Councilmember Iversen, seconded by Councilmember Macklin, and passed unanimously to proceed with the application for reimbursement of the Municipal Pool project.

### **24. Street Sweeping Services ~ Contract Extension**

Presented for consideration was extending the existing contract for street sweeping services with California Street Maintenance that will expire on April 30, 1998.

It was moved by Councilmember Macklin and seconded by Councilmember Iversen to Adopt Resolution No. 98-57, Authorizing the current contract for street sweeping operations be extended for an additional three years. Motion passed on the following roll call vote:

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

**25. Transit Bus Shelter Design**

Consider awarding a bid for the purchase of seven bus shelters.

It was moved by Councilmember Macklin and seconded by Councilmember Swanson to Adopt Resolution No. 98-58, appropriating funds for the acquisition of bus shelters and bus stop signage. Motion passed on the following roll call vote:

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

**CITY MANAGER**

**WRITTEN COMMUNICATIONS**

**ADVISORY BODY COMMUNICATION**

26. **Receive and File Minutes for the Following Advisory Meetings:**
- a. **Project Area Committee Minutes of January 15, 1998 and March 12, 1998**
  - b. **Pioneer Museum Minutes of March 12, 1998**
  - c. **Senior Advisory Committee Minutes of February 9, 1998**
  - d. **Parks & Recreation Minutes of February 18, 1998**
  - e. **Housing Authority Minutes of March 17, 1998**
  - f. **Citizens Airport Advisory Committee Minutes of February 26, 1998**
  - g. **Streets & Utilities Committee Minutes of March 5, 1998**

It was moved by Councilmember Swanson, seconded by Councilmember Iversen, and passed unanimously to receive and file the minutes listed above.

**AD HOC COUNCIL BUSINESS**

**27. Housing Authority Applicants**

There was a consensus of City Council to appoint Mayor Picanco and Councilmember Baron to an Ad Hoc Council sub-committee to interview two Housing Authority Board applicants.

**28. Annexation No. 74 ~ Hansen Farming Trust**

There was a consensus of City Council to appoint Councilmember Iversen and Councilmember Macklin to an Ad Hoc Council sub-committee for property tax exchange negotiations regarding Hansen Farming Trust.

**COUNCIL COMMENTS:**

**Chris Iversen**

1. Discussed COG delegates contemplating the possibility of receiving pay to attend meetings. Following a straw vote, there was a consensus that delegates should receive mileage. Councilmember Macklin and Councilmember Iversen voted no.
2. Discussed transit budget and TDA funding.

**CLOSED SESSION:**

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

**No Action Taken.**

- b) Pursuant to Government Code §54954.5(b) ~ Property Acquisition  
Property: 260 acres south of Niblick Bridge; adjacent to easterly side of railroad (APN 009-811-001, 002, 003, 004; 009-631-003, 004; 009-301-004)  
Negotiating Parties: Anderson  
City of Paso Robles  
Under Negotiation: Terms and Conditions

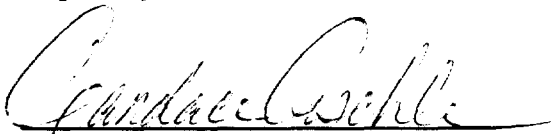
**No Action Taken.**

- c) Pursuant to Government Code §54957 ~ Personnel Meet & Confer  
Agency Negotiator: City Manager's Office  
Employee Organization: Non-Represented Management Group

**No Action Taken.**

**ADJOURNMENT:** to THE NORTH COUNTY COUNCIL MEETING ON THURSDAY, APRIL 9, 1998, 7:00 P.M. AT THE PASO ROBLES GOLF CLUB; AND TO THE REGULAR CITY COUNCIL MEETING ON TUESDAY, APRIL 21, 1998, 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Respectfully submitted,



Candace Aschle, Deputy City Clerk

(Minutes approved 5/5/98)

**GENERAL INFORMATION ABOUT SKATEBOARDERS AND SKATEBOARD TRACKS**

Skateboarding has been popular for about 30 years and has seen advancements in equipment from old style skateboards, with composite wheels, to the introduction of neoprene wheels, high efficiency bearings and the more resilient boards. Most skaters have learned to skate on city streets, sidewalks and other public and private places, but many cities have now passed, or are in the process of passing, ordinances that prohibit skaters from skating on the streets and sidewalks. Skaters, left with no place to skate legally, have organized and have approached their city councils to request that their cities provide them with skateboard tracks, just as cities provide tennis courts, basketball courts, soccer fields, baseball and softball fields for other citizens of the community. A few cities have responded to the requests by skateboarders and have had skateboard tracks designed specifically for skateboarding, generally built within new or existing public parks. Due to the demands of skateboarders and to the growth of skateboarding as a sport, many other cities are exploring the possibility of having skateboard tracks designed and built in their communities.

One of the objectives in building a skateboard track is to get skaterboarders off the city street and sidewalks, where skateboarding is dangerous, inappropriate and, in some cities, prohibited. The primary objective, though, is to acknowledge that skateboarding is a sport and that a skateboard track would provide a place where skaters could enjoy their sport and improve their skating skills.

The sport of skateboarding is too new, and skateboard tracks are too few, to have generated a body of statistical information or design standards. While research has necessarily been subjective, some clear conclusions can be made:

Skateboarding is not as hazardous, as generally believed. While minor injuries may occur, serious life-threatening, or permanent injuries, are extremely rare.

While the range in age of active skateboarders is from 10 to the mid-20's, the majority are in the 14 to 16 range and are almost exclusively male.

On weekdays, the majority of skaters using a track will usually be young, local residents. On weekends, a number