



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES

Tuesday, September 19, 2006 7:30 PM

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL  
CONFERENCE CENTER, 1000 SPRING STREET

---

---

PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR  
TO THE MEETING WITH A COPY TO THE CITY CLERK

### 7:30 PM – CONVENE REGULAR MEETING

**CALL TO ORDER** – Downstairs Conference Center

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Pastor Pat Sheean

**ROLL CALL** Councilmembers Gary Nemeth, Duane Picanco, Fred Strong, and Frank Mecham - Absent: Jim Heggarty

### PUBLIC COMMENTS

- Robert J. Tullock, Pioneer Day Committee presented a plaque to the City for 75 years of support of Pioneer Day festivities, Joel Peterson, Main Street Association Design Committee Chair, regarding status of Carnegie Library restoration

**AGENDA ITEMS TO BE DEFERRED (IF ANY)** - None

### PRESENTATIONS

1. **Paso Robles High School Bond Issue – Measure T**  
J. App, City Manager

Consider a request from citizens to support passage of a \$20,000,000 bond measure for High School improvements.

Mayor Mecham opened the public hearing. Speaking from the public was Kim Gaspar, Barbara Davis, Ryan Allison, Todd Evenson, Joe Quiroz, Tim Bryan, Dee Lacey, Mike Gibson, Paso Chamber of Commerce – all supporting Measure T. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Picanco, moved to adopt Resolution No. 06-166 endorsing Measure "T" Paso Robles High School Bond.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT: Heggarty

*Council adjourned for a 3-minute break to allow some members of the audience to withdraw from the conference room.*

## **PUBLIC HEARINGS**

### **2. Appeal of Conditional Use Permit – The Vine Church at 821 Pine Street** R. Whisenand, Community Development Director

For the City Council to consider an Appeal of the Planning Commission's decision to approve a Conditional Use Permit to establish a church (The Vine Church) at 821 Pine Street. Director Whisenand referred to comments contained in a letter received from the Pacific Justice Institute (attached to these minutes). Director Whisenand referred to statements contained in a letter received from the Pacific Justice Institute (attached to these minutes). City Attorney Seitz clarified for the record that the Pacific Justice Institute letter, in counsel's opinion, cites case law that is distinguishable from The Vine Church action under consideration by the City. Whisenand also distributed revised denial and approval resolutions for Council's consideration.

Mayor Mecham opened the public hearing. Speaking from the public was Nick Gilman, William Ostrander, owner of 821 Pine Street, Cris Decious, Pastor of The Vine Church (applicant), Jeff Bauer, James Mendenhall, Don Lavalle, and Brian Beckham, Hastings Enterprises. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Mecham, moved to adopt Resolution No. 06-XXX approving Conditional Use Permit 06-005, revised to delete the words under Condition No. 3, "...for a period of two (2) years from approval."

Motion failed by the following roll call vote:

AYES: Strong, and Mecham  
NOES:  
ABSTAIN: Nemeth, Picanco  
ABSENT: Heggarty

Councilmember Nemeth, seconded by Councilmember Picanco, moved to adopt Resolution No. 06-167 approving Conditional Use Permit 06-005.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT: Heggarty

3. **Supplemental Law Enforcement Service Fund**

D. Cassidy, Chief of Police

For the City Council to consider accepting up to \$100,000 during fiscal year 2007 from the California State Supplemental Law Enforcement Service Fund (“SLESF”) and a revised expenditure plan for all SLESF monies received since 2005 to support a mobile data computer project, other equipment, technology, and services to support frontline law enforcement activities. Chief Cassidy introduced Captain Solomon to present the report requesting grants.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Strong, moved to adopt Resolution No. 06-168 accepting the California State Supplemental Law Enforcement Service Funds available in fiscal year 2007, and approving the outlined expenditure plan for all funds accrued since fiscal year 2005 (Exhibit A).

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT: Heggarty

**CONSENT CALENDAR**

Mayor Mecham called for public comments on Consent Calendar items. There were no comments from the public, either written or oral, and the public discussion was closed.

4. Approve City Council minutes of August 29, 2006 and September 12, 2006
5. Approve Warrant Register: Nos. 64597— 64712 (08/25/06). 64713—64843 (09/01/06), and 64844-65028 (09/08/06)
6. Receive and file Advisory Body Committee minutes as follows:  
Citizens Airport Advisory Committee meeting of June 22, 2006  
Youth Commission meeting of June 7, 2006
7. Accept ownership of a Narcotics Task Force (“NTF”) vehicle used by the Paso Robles Police Department Officers assigned to the Task Force. Unit #638 is currently registered to the San Luis Obispo County NTF. All law enforcement agencies in the County are in the process of transferring ownership of County-owned NTF vehicles to the respective cities of employees who drive the vehicles. The annual maintenance and fuel currently are budgeted through the PRPD budget.

8. Adopt Resolution No. 06-169 certifying and adding Parcel 1 of Parcel Map PR 02-0250 to CFD No. 1, and recordation the Amendment to the Notice of Special Tax Lien [Oeck]. A residential subdivision located between 4<sup>th</sup> and 6<sup>th</sup> Streets, west of Olive Drive, tentatively approved by the Planning Commission on June 28, 2005. All conditions have been satisfied, and adopt Resolution No. 06-170 accepting recording of Parcel Map PR 02-0250.
9. Adopt Resolution No. 06-171 authorizing the acceptance of public improvements resulting from the development of Tract 2609 into the City's maintenance system. Required public improvements have been constructed to the satisfaction of the City.
10. Adopt Resolution No. 06-172 authorizing the recordation of Tract 2609, a 20-lot subdivision with three additional open space lots located along Meadowlark Road, between Beechwood Drive and Oriole Way. Authorize the Mayor to execute the Subdivision Improvement Agreement warranting the construction of the subdivision improvements for a period of one year and adopt Resolution No. 06-173 annexing Tract 2609 into the Landscape and Lighting District.
11. Adopt Resolution No. 06-174 to authorize the acceptance of public improvements resulting from the development of Tract 2350-5 (Lots 1238-175 – Weyrich Development Company) into the City's Maintenance System based upon completion of construction of all required public improvements to the satisfaction of the City.
12. Establishing a Reimbursement Agreement for replacement of an existing sewer line constructed through the Scolari property from 22<sup>nd</sup> Street to 21<sup>st</sup> Street. Adopt Resolution No. 06-175 to authorize the Mayor to enter into an agreement with Joe Scolari for the construction of a new sewer line and to reimburse Scolari for a portion of the construction costs of the new sewer line based upon the volume of the use of the sewer line among the properties served north of the Scolari property.
13. Adopt Resolution No. 06-176 establishing a Reimbursement Agreement for the sewer line constructed in Union Road, from Kleck to Walnut Drive. Adoption of this Resolution authorizes the Mayor to enter into an Agreement with Orval and Jennifer Thompson for the City to collect the reimbursable amounts on behalf of the developer.
14. Authorizing the purchase of the property at 240 Gahan Place by adopting Resolution No. 06-177 and accepting the Planning Commission report on consistency with the General Plan. Adopt Resolution No. 06-178 accepting the deed of purchase and authorizing directing the City Clerk to record the documents with the County Clerk Recorder's Office, and adopt Resolution No. 06-179 approving a transfer from Traffic Mitigation Development Impact Fee Fund to the Hwy 101/46W CFD Fund and appropriating funds from the Hwy101/46W CFD Fund for this project.
15. Adopt Resolution No. 06-180 which supports and authorizes the application for supplemental grant funding from California Department of Transportation (Caltrans) for the current Airport Improvement Program. Total project cost is \$53,000. The FAA share is 95%, State share is 2.5% and City share will be \$1,675.
16. Adopt Resolution No. 06-181 approving the Exercise of Option to Renew Lease document for a long-term lease of Parcel 8 (Specialty Silicon) in the Airport Industrial Park.

17. Adopt Resolution No. 06-182 approving integration of the National Incident Management System as part of the City's emergency response standards.
18. Adopt Resolution No. 06-183 approving a budget appropriation in the amount of \$32,400 from the Economic Incentive Fund to Reneau Chrysler Dodge.

Consent Calendar Items Nos. 4 - 18 were approved on a single motion by Councilmember Strong, seconded by Councilmember Nemeth, with Councilmember Picanco abstaining on Warrant Register Items Nos. 064800, 064832, 064969 and 064972, and Mayor Mecham abstaining on Warrant Register No. 064618 and 064885.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT: Heggarty

*Council adjourned for a 10-minute break to allow some members of the audience to withdraw from the conference room.*

## DISCUSSION

19. **City Land Development Proposal – Paso Robles Youth Sports**  
D. Monn, Public Works Director

Consider a proposal from the Paso Robles Youth Sports Council (PRYSC) to develop 4.76 acres located on North River Road of City owned property into turf practice fields.

Mayor Mecham opened the public hearing. Speaking from the public was Steve Serda, Phil Gibson. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Picanco, moved to authorize an Ad Hoc Committee, comprised of Mayor Mecham and Councilmember Picanco, to work with City Staff to draft a Memorandum of Understanding with the Paso Robles Youth Sports Council to develop 4.76 acres of the North River Road side. Subject to recommendation by the Ad Hoc Committee, the Memorandum of Understanding and a lease agreement will be returned for consideration by the full Council, and.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT: Heggarty

**20. Landscaping and Lighting District No. 1 Proposed FY 2008 Balloting**

D. Monn, Public Works Director

Consider options regarding the balloting of Paso Robles Landscape and Lighting District No. 1 (LLD) deficit zones and subareas for fiscal year 2007/2008. The June 2006 balloting resulted in 14 of 20 zones and/or subareas not approving a levy adjustment. Landscape maintenance in the 14 deficit areas has been reduced to a level and cost that equals levy payments. City Council requested a proposal to reballot the 14 areas again for the fiscal year 2007/2008. The estimated cost for reballoting is \$71,000 plus 500 staff hours.

Mayor Mecham opened the public hearing. Speaking from the public were Tom Hardwicke and Thomas Schell. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Picanco, moved to defer any reballot of the Landscape and Lighting District until June 2009.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT: Heggarty

**21. Annual Status Report on the Implementation of the City's General Plan R.**

Whisenand, Community Development Director

Consider approving the "2006 General Plan Annual Report" to the State of California. Ed Gallagher, Housing Programs Manager, presented an overview of the report.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong congratulated staff on the quality of previous reports submitted as mentioned in the 2005 Report to the Legislature on Status of Housing Elements in California, by the California Department of Housing and Community Development. Councilmember Nemeth, seconded by Councilmember Strong, moved to approve submittal of the "2006 General Plan Annual Report" to the Governor's Office of Planning and Research, and to the Department of Housing and Community Development.

Motion passed by the following unanimous voice vote:

**22. Budget Appropriation for Fiscal Year 2006 Encumbrances**

M. Compton, Director of Administrative Services

Consider approval of carry-over appropriations for fiscal year 2006 encumbrance requests. These appropriations represent previously approved Council budget appropriations for projects and/or equipment purchases that were not completed in the prior budget year. Carry-over requests total \$27,373,600 of which only \$249,800 is for the General Fund. Director Compton corrected the carryover amount listed for Munipool/Therapy Pool Improvements, under account 227-910-5452-487 to \$126,100, in Exhibit A attached to the resolution.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Picanco, moved to adopt Resolution No. 06-184 approving budget appropriations for fiscal year 2006 carry-over requests.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT: Heggarty

**23. Office of Traffic Safety Grant – “AVOID the 14”**

D. Cassidy, Chief of Police

Consider accepting grant funding from the California Office of Traffic Safety, for the Paso Police Department to serve as the lead / coordinating agency in a countywide DUI campaign from October 1, 2006 through December 31, 2010. Captain Solomon presented the report and explained the reference to “14” as the number of county agencies participating in the campaign.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Nemeth, moved to adopt Resolution No. 06-185 accepting the State of California of Traffic Safety “Avoid the 14” grant with the described terms and conditions.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT: Heggarty

**24. Contract for Actuarial Services for GASB 43 & 45 Compliance**

M. Compton, Administrative Services Director

Consider an agreement with Demsey, Filliger & Associates for actuarial services to implement Governmental Accounting Standards Board (GASB) Statements 43 & 45. Director Compton introduced Finance Manager, Jennifer Sorensen, to present the report.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Nemeth, moved to adopt Resolution No. 06-186 authorizing Administrative Services to contract with Demsey, Filliger & Associates to provide actuarial services to implement GASB 43 and 45 Standards.

Motion passed by the following unanimous roll call vote:

AYES: Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT: Heggarty

**25. 13<sup>th</sup> Street Bridge Dedication – Event Status & Budget**

M. Williamson, Assistant City Manager

Receive an update on the 13<sup>th</sup> Street Bridge Dedication Event and consider authorizing a tentative budget for event expenses.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Nemeth, moved to adopt Resolution No. 06-187 authorizing a tentative budget of \$25,000 for the 13th Street Bridge Dedication on November 3, 2006

Motion passed by the following roll call vote:

AYES: Nemeth, Strong, and Mecham  
NOES: Picanco  
ABSTAIN:  
ABSENT: Heggarty

**CITY MANAGER** - None

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION –**

**AD HOC COMMITTEE COMMUNICATION**

**26. Council Liaison/Ad Hoc Committee – Development Services System Review**

R. Whisenand, Community Development Director, Doug Monn, Public Works Director and Ken Johnson, Emergency Services Chief

Consider appointing two members to serve as liaison/Ad Hoc committee to assist in the review of processes relating to the City's Development Services.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

By General Consent Councilmember Nemeth and Mayor Mecham were appointed to the Ad Hoc committee and requested to report back to Council periodically.



**27. Council Liaison/Ad Hoc Committee – Paso Robles Events Center**

J. App, City Manager

Consider appointing two members to serve as liaison/Ad Hoc committee to the Paso Robles Events Center.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

By General Consent Councilmember Nemeth and Mayor Mecham were appointed to the Ad Hoc committee and requested to report back to Council periodically.

**28. Council Liaison/Ad Hoc Committee – Paso Robles Wine Country Alliance**

J. App, City Manager

Consider appointing two members to serve as liaison/Ad Hoc committee to the Paso Robles Wine Country Alliance.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

By General Consent Councilmember Picanco and Councilmember Strong were appointed to the Ad Hoc committee and requested to report back to Council periodically.

**COUNCIL COMMENTS (Including oral reports on conferences attended)**

Mayor Mecham read a letter regarding the stretch of highway near Highway 41/Highway 46, known as “Blood Alley”, and the importance of Caltrans action to improve the road.

Councilmember Strong requested staff to report back on the current status of code enforcement related to extended parking of recreational vehicles on city streets, and the limit to the number of unrelated persons residing in a single family residence, as he has received calls from concerned city residents.

Mayor Mecham and Councilmembers Picanco, Strong and Nemeth reviewed the workshops attended at the League of California Cities Annual Conference, in San Diego in early September (pension reform, water issues, parking, administrative services, long-term liabilities, etc.) Report from Councilmember Strong attached.

**PUBLIC COMMENT ON CLOSED SESSION – None**

*City Attorney Seitz announced Council’s authority to go into closed session to discuss the item listed on the agenda.*

*It was the consensus of Council to adjourn from regular session at 10:00 PM.*

*The City Council thereupon adjourned to Closed Session in the 2<sup>nd</sup> floor Large Conference Room.*

**CLOSED SESSION**

**CALL TO ORDER** – Large Conference Room, 2<sup>nd</sup> Floor

*The City Council returned to Regular Session at 10:30 PM.*

**RETURN TO OPEN SESSION**

**CLOSED SESSION REPORT**

*City Attorney Seitz announced that there was no reportable action.*

*By unanimous voice vote, Council moved to adjourn from regular session at 10:40 PM.*

**ADJOURNMENT:**

- to HBA PUBLIC OFFICIALS NIGHT, THURSDAY, SEPTEMBER 28, 2006 AT 5:30 PM, AT EDNA VALLEY VINEYARDS, 2585 BIDDLE RANCH RD., SAN LUIS OBISPO, CA .
- to THE OLSEN/BEECHWOOD DEVELOPERS FORUM, SEPTEMBER 30, 2006 AT 10:00 AM TO 3:00 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- to THE REGULAR MEETING AT 7:30 PM ON TUESDAY, OCTOBER 3, 2006, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 .SPRING STREET

Submitted:

---

Deborah D. Robinson, Interim Deputy City Clerk  
Approved:

**THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT  
PART OF THE RECORDS UNTIL APPROVED BY THE CITY  
COUNCIL AT A FUTURE REGULAR MEETING.**

RESOLUTION NO. 06-

A RESOLUTION OF  
THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES  
DENYING CONDITIONAL USE PERMIT 06-005  
TO ESTABLISH A CHURCH AT 821 PINE STREET  
APN: 009-154-008, APPLICANT – THE VINE CHURCH/CRIS DECIOUS

WHEREAS, Conditional Use Permit (CUP) 06-005 has been filed by The Vine Church/Cris Decious ("Applicant"); and

WHEREAS, CUP 06-005 is a proposal to establish a church at 821 Pine Street; and

WHEREAS, written notice of this Appeal hearing was provided to the property owners and Applicant on September 8, 2006; and

WHEREAS, a copy of the Staff Report prepared for this Appeal hearing was distributed to the Applicant on Friday, September 15, 2006; and

WHEREAS, the City's General Plan and Economic Development Strategy include policies that support revitalization of the core downtown area with restaurant, entertainment, retail and lodging uses, that may wish to sell alcoholic beverages; and

WHEREAS, the City believes that a church in this particular location would conflict with these specific uses that would more effectively implement the City's General Plan policies and Economic Development Strategy to revitalize the core downtown area; and

WHEREAS, the City Council held a duly noticed public hearing on September 19, 2006 to accept public testimony on this Conditional Use Permit application;

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. The City Council of the City of El Paso de Robles does hereby deny Conditional Use Permit 06-005. This denial is based on the facts and analysis presented in the staff report, both written and oral, and public testimony received at the public hearing. The City Council finds and determines that the proposed use of the property at 821 Pine Street would be incompatible with the existing, developing and potential uses in the core downtown area that currently sell or wish to sell alcoholic beverages. The California Department of Alcoholic Beverage Control policies require that it notify and consider objections to applications for licenses to sell alcohol from institutions such as churches, schools, daycare centers, hospitals and other uses located within close proximity to those uses. Such a conflict would be contrary to the City's General Plan policies specifically related to the downtown, as described in Policies LU-2H and LU-2I, and the City's Economic Development Strategy, "Center Focus", pg. 4, and "Place - Strategies and Actions", pgs. 16 and 17.

Section 2. The City Council further finds and determines that the denial of the application for CUP 06-005 would not impose a significant burden upon the religious practices of the Applicant and is not discriminatory because Applicant would lease, rather than own, the property at 821 Pine Street, and because there are other locations throughout the City where the church could be located. This finding

and determination is based upon the following fact that the City's zoning code allows churches in 13 different zoning districts, subject to approval of a Conditional Use Permit; that there are other churches located throughout the City in such zoning districts; and that the City has granted applications for Conditional Use Permits for churches in such other locations.

PASSED AND ADOPTED THIS 19<sup>th</sup> day of September, 2006 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Frank R. Mecham, Mayor

ATTEST:

---

Deborah Robinson, Deputy City Clerk

RESOLUTION NO. 06-

A RESOLUTION OF  
THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES  
APPROVING CONDITIONAL USE PERMIT 06-005  
TO ESTABLISH A CHURCH AT 821 PINE STREET  
APN: 009-154-008, APPLICANT – THE VINE CHURCH/CRIS DECIOUS

WHEREAS, Conditional Use Permit (CUP) 06-005 has been filed by The Vine Church/Cris Decious; and

WHEREAS, CUP 06-005 is a proposal to establish a church; and

WHEREAS, the City's General Plan and Economic Development Strategy include policies that support development of the downtown with a range of land uses; and

WHEREAS, the City has concerns regarding potential land use conflicts in an expanding downtown and the right of the church to protest alcohol related uses, the City Council has determined that these concerns can be addressed through the Department of Alcoholic Beverage Control noticing and review process; and

WHEREAS, should land use conflicts result in the future due to the location of the church and proposed restaurant and entertainment businesses, the Conditional Use Permit for the church use may be referred to the Planning Commission for determination of land use compatibility of the church use in the downtown; and

WHEREAS, the church requests to be permitted to conduct regular services for up to 100 persons on Sunday mornings (between 9 am and 12 pm), and on Sunday and Wednesday evenings (6 to 9 pm), and to conduct one week per year of evening (Bible Study) meetings, and twice a year allow three evenings for special events; and

WHEREAS, the City Council held a duly noticed public hearing on September 19, 2006 to accept public testimony on this Conditional Use Permit application; and

WHEREAS, based upon the facts and analysis presented in the staff report and public testimony received the City Council finds it acceptable to establish a church at the proposed location.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby approve Conditional Use Permit 06-005 and Joint Use Parking per Section 21.22.130 of the Zoning Code, subject to the following conditions:

STANDARD CONDITIONS

1. The project shall be operated in substantial conformance with the following conditions established by this resolution:
2. Any condition imposed by the City Council in granting this Conditional Use Permit may be modified or eliminated, or new conditions may be added, provided that the City Council shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Council finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.

3. This CUP 06-005 for the church use is valid for a period of two (2) years from approval.
4. No underground or aboveground storage of hazardous materials shall be allowed on-site without first obtaining City approval.
5. No storage of trash cans or recycling bins shall be permitted within the public right-of-way.
6. Use and operation of the business and its appurtenances shall be conducted in compliance with the City's General Performance Standards for all uses (Section 21.21.040 of Chapter 21.21 Performance Standards of the City's Zoning Ordinance).

SITE SPECIFIC CONDITIONS

7. A sign permit shall be required prior to installation of any signs, and shall be reviewed and approved by the Development Review Committee.
8. The church may be allowed to occupy up to 1,600 sq. ft. with 100 seats, the retail area may occupy up to 1,600 sq. ft., and the office may be allowed to occupy up to 1,505 sq. ft. of the total area.
9. No other uses, including daycare or a school shall be permitted.
10. The church may be permitted to conduct regular services for up to 100 persons on Sunday mornings (between 9 am and 12 pm), and on Sunday and Wednesday evenings (6 to 9 pm), and to conduct one week per year of evening (Bible Study) meetings, and twice a year allow three evenings for special events

PASSED AND ADOPTED THIS 19<sup>th</sup> day of September, 2006 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

FRANK R. MECHAM, MAYOR

ATTEST:

---

CATHY DAVID, DEPUTY CITY CLERK

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING


Newspaper: Tribune

Date of Publication: September 8, 2006

Meeting Date: September 19, 2006  
(City Council)

Project: Appeal of Conditional Use Permit  
06-005 (The Vine - 821 Pine St.)

I, Lonnie Dolan, employee of the Community Development Department, Planning Division, of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed:   
Lonnie Dolan

forms/newsaffi.691

**CITY OF EL PASO DE ROBLES**  
**NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of El Paso de Robles will hold a Public Hearing on Tuesday, September 19, 2006, at 7:30 p.m. at the City of El Paso de Robles, 1000 Spring Street, Paso Robles, California, in the City Council Chambers, to consider the following project:

An Appeal of a Planning Commission decision approving a Conditional Use Permit (CUP 06-005) to establish a church (The Vine) at 821 Pine Street, APN 009-154-008.

The Appeal and staff report may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California. Copies may be purchased for the cost of reproduction.

Written comments on the Appeal may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446, provided that the comments are received prior to the time of the public hearing. Oral comments may be made at the hearing. Should you have any questions regarding this application, please call Susan DeCarl at (805) 237-3970.

If you challenge the Appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at or prior to the public hearing.

Susan DeCarl, AICP  
City Planner  
September 8, 2006 645230

4-19-  
Item 2.

**FACTS CONCERNING THE RECONFIRMATION OF THE APPROVAL BY  
PLANNING COMMISSION OF THE CUP FOR "THE VINE"**

Any person can file an objection to the issuance of a license from the ABC

The objection of a church is not given any more weight than any other protest

A protest can be filed regardless of geography

There is a difference between a retail license and a non-retail license

Wine tasting is typically issued under a growers license which is non-retail

A bar that sells alcohol, regardless of manufacturer, is a retail license

While churches are listed as a "consideration point", the proximity of a church is not reason enough to deny the issuance of a license

Being "too close to a church" is not a valid reason in itself to deny a license

Letters of notification are not sent out to consideration points when a license is being sought for a non-retail operation

According to the ABC, at present they can't think of anyone who has been denied a license in the downtown

There are 7 churches within 3 blocks of the downtown

Pictures will tell the tale of parking

Bob Turnbow has offered his 7 spaces for parking

Hayward has offered it's 16 spaces for parking

Our building has 9 parking spaces

Hice Cellars are not open during the church's worship times

The Vine is a commercial operation 6 days of the week

Federal law prohibits discrimination of churches by municipalities through zoning

We've signed an unusually short lease with the Vine to be sure that there is compatibility

We are deeply invested in the downtown and it's success. We are currently developing another portion of the downtown on the next block and not only do we NOT fear the Vine's proximity, we welcome the continued expansion of the south eastern core of the downtown, which, was once regarded as a blight

Churches fall under the purview of cultural uses of the downtown according to Susan Di Carli

821 Pine St. is first and foremost a commercial center and we have asked the Vine not to display religious symbols and imagery.



Item 2  
9-19

The single anonymous letter filed in protest and allegedly representing the business owners of the downtown appears to be fabricated as none of the businesses mentioned, in our investigation, were even aware that a letter had been written on their behalf

There is a sunset clause with the issuance of a CUP

The Vine has been extremely flexible and willing to work under the terms of our lease and with respect to it's neighbors. The have formally stated they have no issue with any of the merchants including, specifically, the wineries and wine tasting rooms in the area.

In summation, while the ABC operates by necessity with a certain amount of subjectivity, there is no precedent in Paso Robles to be concerned with existing or future alcohol related businesses with respect to the issuance of a CUP formerly approved by Planning Commission. Although there is no shortage of street parking, offsite parking has been accommodated. The Vine promises to be another entity dedicated to the livelihood, dynamism and a participating member of the downtown core.

Item 2  
9-19

## ROBERT TURNBOW

---

844 9<sup>th</sup> St.  
Paso Robles, CA 93446

September 12, 2006

William Ostrander  
1350 Partner Rd.  
San Luis Obispo, CA 93405

To Whom it may Concern,

This letter is to serve as authorization for limited parking on Sunday mornings, during church services, for the tenant at 821 Pine St., Unit A, Paso Robles, CA 93446. Parking is limited to marked spaces only and may not, at any time, block receiving door.

Sincerely,



Robert Turnbow

Cc: Cris Decious of the Vine  
file

Item 2  
9-19

From: "Albrecht, Christian@ABC" <Christian.Albrecht@abc.ca.gov>  
Subject: **FW: From The Vine in Paso Robles**  
Date: September 18, 2006 12:54:37 PM PDT  
To: <ostrander@tcsn.net>

Ms. Ostrander-

As stated in my correspondence below, mere "proximity" to a church is not considered a valid protest issue, whereas interference with the operation of a church (or any consideration point) is considered a valid protest issue.

Thank you,

Chris Albrecht  
District Administrator

---

**From:** Albrecht, Christian@ABC  
**Sent:** Tuesday, September 12, 2006 5:28 PM  
**To:** 'Csdecious@aol.com'  
**Subject:** RE: From The Vine in Paso Robles

Mr. Decious-

As discussed, the ABC Act does recognize churches, hospitals, and schools as "Consideration Points" when processing applications for licensure, per 23789. As the statute states, there is no prohibition of license issuance for any specific proximity, but only the authorization for the Department to refuse issuance.

As a practical matter, the Department routinely issues licenses to locations that are nearby schools, churches, etc. Policy requires Department contact with those entities during the application process which occasionally results in protest/objection, etc.

If you would like more information, please do not hesitate to re-contact me.

Thank you,

Chris Albrecht  
District Administrator

---

**From:** Csdecious@aol.com [mailto:Csdecious@aol.com]  
**Sent:** Tuesday, September 12, 2006 4:51 PM  
**To:** Albrecht, Christian@ABC  
**Subject:** From The Vine in Paso Robles

Hello Mr. Albrecht,

We talked yesterday about the ABC laws concerning churches and their rights. Our church has applied for a Conditional Use Permit with the city of Paso Robles and there is concern about a church being placed in the downtown community because of the possible trouble it could make for businesses with or applying for liquor licenses. You relayed to me that it would not be possible for you to attend a meeting with the City Council on September 19th. However, you said that you would be willing to send an extensive email or letter with details about the laws and rights/effects as they apply to the church. I would appreciate this to present at the meeting on Tuesday, September 19th. Thank you.

item 2  
9-19

facsimile transmission

---

**TO : Alcoholic Beverage Control**

**Attn : Chris Albrecht**

**From : Bill and Brenda Ostrander**

**09.18.06**

**RE : The Vine, Paso Robles**

Dear Chris,

Thank you for your time, we appreciate your efforts to clarify this issue.

Attached is a copy of page - Agenda item no. 2 - page 2 of 17. It is a page from the Paso Robles Community Development Director, Ron Whisenand, to the Paso Robles City Manager, James L. App; appealing the approval by the Planning Commission of the Conditional Use Permit 006-005, to establish a church at 821 Pine Street, Paso Robles.

Please respond to the paragraphs under the Department of Alcoholic Beverage Control (ABC) Regulations heading.

Please fax us at 805-544-0032 or respond by email to ostrander@tcsn.net. The City Council meeting is tomorrow night, Tuesday September 19th, 2006, your input would be very helpful at the meeting.

Sincerely

  
Brenda Ostrander

Item 2  
9-19

related use in future, was not available. Given these issues, as well as potential economic development impacts, staff filed an appeal of this Conditional Use Permit.

8. Per the California Environmental Quality Act (CEQA), this application is exempt from the requirements of CEQA.

**Analysis  
and**

**Conclusions:**

The applicant is proposing to locate a church and gift shop/art gallery at 821 Pine Street. As noted above, this Appeal was filed so that further research could be completed regarding land use conflicts in an expanding downtown setting.

Department of Alcoholic Beverage Control (ABC) Regulations

Land use compatibility between churches and restaurants/bars is a concern in Alcoholic Beverage Control (ABC) regulations. Dining and entertainment uses in the downtown are identified in the General Plan and Economic Strategy as desired uses. Should a dining or entertainment use include alcoholic beverage consumption, church objection to issuance of a license, would create a conflict with land use and/or economic goals and objectives.

Churches are *typically* noticed if they are within 600 feet of the alcohol related use. The grounds for protest or denial may be based on an applicant not being qualified, or that the proposed premises not being suitable. The findings for suitability include the proposed use being "too close to a church".

In this case, new or expanded alcohol related uses, (i.e. bars, wine bars, wine tasting or restaurants that serve alcohol) that propose to be located in the area identified on the attached map (See Exhibit A), would be required to notice the proposed church of a pending ABC license. The applicant (current church pastor) has indicated that they would not have any concerns regarding new or expanded alcohol related uses in the vicinity of their church. However, the church's right to protest alcohol related uses in the future remains.

Parking

The applicant is requesting approval to allow services for up to 100 persons on Sunday mornings (between 9 am and 12 pm), and on Sunday and Wednesday evenings (6 to 9 pm). The applicant is also requesting that the CUP allow the church to conduct one week per year of evening (Bible Study) meetings, and twice a year allow three evenings for special events.

Parking requirements for this use is one space for each five seats, which would require 25 spaces. There are nine parking spaces on site, which complies with the downtown parking provisions of 1/1750 s.f. of lot area. Therefore, the remaining 16 spaces would need to be supplied by public parking spaces in the vicinity.

Item 2  
9-19



502 First Street, Suite C Paso Robles, CA 93446 Phone: 805-237-6060 – Fax: 805-237-6066

- News
- Top Stories
- Sports
- Community News
- Movie Reviews
- Letters To The Editor

### WE'VE MOVED TO THE GATEWAY CENTER!

*We are now located at 502 First Street, Suite C, Paso Robles*



### The Vine moves to Pine

BY ANNE QUINN 8-25-06



A decision by the Paso Robles Planning Commission to waive typical parking requirements for churches and issue a conditional use permit to The Vine church so that it can lease retail space downtown has the owners of several neighborhood businesses, including two new wineries, nervous.

Topping their list of concerns is whether there will be enough parking and whether the church will be compatible with the

trendy new wineries and restaurants cropping up in the area of Pine Street that fronts the historic train depot.

The Vine will lease space at 821 Pine St. in a building now occupied by Hice Cellars and F.I.T.T. Medical.

"We're not against churches, that's not cool," said Eric Hice. "I just don't want it to hurt my business."

Hice Cellars just reopened its tasting room after suffering a set back due to the 2003 San Simeon Earthquake. Regulations of the Alcoholic Beverage Control Department permit churches and schools within 600 feet of existing wineries, but, once a church is established in an area even as a rental tenant it has say over whether an existing winery can expand or new wine facilities can be established.

Cris Decious, pastor of The Vine, promised that his church would not oppose any establishment selling liquor.

"People in our church drink wine," said Decious. "We understand that wine is what Paso Robles is all about."

The Church also plans to open an art gallery in the space, Decious said. Although typically the city requires churches provide one parking space for every four persons, city planning staff determined that in this case The Vine could provide less parking because it would use the space at 821 Pine St. as a sanctuary during hours when surrounding businesses are either closed or not busy. The hours specified in the conditional use permit are Sunday mornings from 9 a.m. to noon and Sunday and Wednesday evenings from 6 p.m. to 9 p.m.

The permit does not mention an art gallery or other ancillary uses, but when the space leased by the church is being used as an art gallery, regulations for retail businesses apply.

Although The Vine congregation presently numbers 50, Decious said he expected that to double and the conditional use permit is based on a congregation of 100.

The Vine church is new and has been conducting worship in Daniel Lewis Middle School for the past year. Decious, a former Methodist minister in small town in western Pennsylvania ironically called California (Pop. 5,274) became inspired, he said, to leave the Methodist denomination and "plant a church."

Through a set of circumstances that Decious said were divinely inspired, he became affiliated with an organization called Stadia, a nationwide ministry that assists in starting new churches all across the United

Current Weather for Paso Robles



powered by AccuWeather.com

**Paso Robles Press**  
Now Twice Weekly!  
Now Published Every Tuesday & Friday!

**WESTERN JANITOR SUPPLY, INC.**  
Commercial - Industrial Residential  
The One-Stop Center for all your cleaning needs!  
805-238-2112

The final results for the poll, Do you support Measure J (The Dalidio Ranch Project)? are:  
13% say Yes and 87% say No out of 83 total votes.

States. Stadia is a subsidiary, actually called a provision ministry partner with the Provision Ministry Group, and was established with a \$424,000 loan from the Provision Ministry Group's Church Development Fund, which has \$425 million in assets which it uses to aid churches fighting lawsuits and support the work of new church evangelism.

The modern retail building at 821 Pine St. fits the description of what the Provision Ministry Group calls "architectural evangelism." The Provisional Ministry Group supports Visioneering Studios that works for changing traditional church designs that "scare people away."

"In a recent church re-engineering conference 'dead' church architects were cited as a key reason why the church isn't perceived of as relevant. Visioneering studios exist 'to tear down walls between the church and the community, instead of putting new ones up. They realize that traditional church steeples are not exactly homing beacons to the unchurched. They are figuring out how to create the bait that makes us better 'fishers of men,'" according to [www.visioneeringstudios.com](http://www.visioneeringstudios.com)

An anonymous letter supposedly expressing the concerns of "The Local Businessmen and Businesswomen of downtown Paso Robles" was sent to city hall prior to the Aug. 22 Planning Commission meeting. The unsigned letter noted that "parking is a huge concern to the Japanese restaurant, Boutique's and tasting room which will be hit the hardest."

Decious told the Planning Commission that he approached the owners of the businesses cited and they knew nothing about the letter.

Margaret Silva, owner of Twice as Nice consignment boutique in the train depot said that she had not heard about the letter. She was not aware that a soon a church would be opening across the street.

"We'll just have to see," said Silva.

Jeff Marsden, who is selling a building a few doors down from 821 Pine St., hopes that Decious, and city staff, remember the promise that the church will not interfere with the establishment of a nearby winery or restaurant.

"I wish them well," Marsden, "This is the area of the city that's growing. I just hope nobody gets amnesia about the promise that they won't hinder anybody selling their property."

Item 2  
9-19

**Send us your comments about this article.**

**Advertise**  
*Online*

Item 2

9-19

September 15, 2006

Frank Mecham, Mayor  
Jim Heggarty, Mayor Pro Tem  
Duane Picanco, Member  
Gary Nemeth, Member  
Fred Strong, Member  
EL PASO DE ROBLES CITY COUNCIL  
1000 Spring Street  
El Paso De Robles, CA 93446  
FAX: (805) 237-4032

**Re: The Vine Church of Paso Robles – Appeal of CUP 06-005**

Dear Honorable City Council Members,

**INTRODUCTION**

By way of introduction, the Pacific Justice Institute is a public interest legal organization which, in addition to representing scores of faith-based organizations in property issues, has on numerous occasions testified and provided legal opinions to state and local legislative bodies on land use matters. This office has been made aware of The Vine Church of Paso Roble (“Vine Church”) application for a conditional use permit (“CUP”). Initially, from our review of the facts, we are optimistic that the City will grant the CUP. Nonetheless, at the request of the Vine Church, we would still like to bring to your attention, and officially raise for the record, the federal law relevant to the application.

**FACTS**

The Vine Church intends to lease and use the premises for a worship facility the property located at 821 Pine Street in order to serve its members and fulfill its religious mission and goals. This includes their sincerely held beliefs relative to providing an



Item 2  
9-19

opportunity for worshippers to attend meetings, offer religious instruction and activities for children and youth, and provide charitable services to assist the less fortunate in the community. The proposed site, which is the subject of this current application, will allow the Vine Church to engage in the above activities which are in furtherance of its religious tenets. An outright denial of the CUP would place a substantial burden on the Vine Church's ability to practice the mandates of its said tenets to proclaim and propagate the Gospel, make disciples and assist the poor.

On August 8, 2006, the Planning Commission granted the CUP. At the hearing, the minutes show that no one spoke in opposition to the application.

### RLUIPA

In light of these substantial burdens, it is our view that failure to approve the Vine Church's permit application would violate the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA"), 42 U.S.C. §2000cc et seq. RLUIPA was enacted by Congress and signed by President Clinton in response to the unjust manner in which many cities and counties have utilized their land use and zoning powers to restrict the number of religious institutions within their jurisdictions. The remarkable success of RLUIPA in the legislative process can be attributed to the strong support it received from a broad coalition of religious and civil rights groups, including the American Civil Liberties Union, People for the American Way, the National Association of Evangelicals, and the Union of Orthodox Jewish Congregations of America.

RLUIPA prohibits any government agency or agent from adopting or imposing any land use regulation that 1) imposes a substantial burden on the religious practices of a person or group (42 U.S.C. §2000cc 2(a)(1)); 2) treats a religious assembly on less than equal terms with a non-religious assembly (42 U.S.C. §2000cc 2(b)(1)); or 3) discriminates against an assembly or institution on the basis of religion or religious denomination (42 U.S.C. §2000cc 2(b)(2)). Exemption from these general prohibitions is extremely narrow. In order for a government land use policy to avoid violating RLUIPA, the government must not only be furthering a compelling state interest, the means for furthering that interest must be the least restrictive upon the rights of a religious person or institution. 42 U.S.C. §2000cc 2(a)(1)(A)-(B). These statutory principles reflect the U.S. Supreme Court's conclusion, as originally outlined in *Sherbert v. Verner*, 374 U.S. 398 (1963), and reaffirmed in *Church of the Lukumi Babalu v. City of Hialeah*, 508 U.S. 520 (1993), that government-imposed burdens on religious exercise must be subjected to the strictest form of scrutiny, especially when those burdens are the direct result of individualized assessments such as CUP decisions. Indeed, recently, the Ninth Circuit affirmed that individualized assessments in which there is significant discretion in the application process falls squarely within RLUIPA. *Guru Nanak Sikh Society of Yuba City*

Item 2  
9-19

*v. County of Sutter*, --- F.3d ----, 2006 WL 2129737 (9<sup>th</sup> Cir. Aug. 1, 2006). Further, the general argument of an “incompatible use” was thrown out by a unanimous court. *Id.* The present situation that the Vine Church faces, involving highly individualized discretion for granting or denying a permit, very closely mirrors the facts in *Guru Nanak Sikh Society*.

Under RLUIPA, “[t]he use, building, or conversion of real property for the purpose of religious exercise shall be considered to be religious exercise of the person or entity that uses or intends to use the property for that purpose.” 42 U.S.C. §2000cc 5(7)(B). As such, a denial of a permit would result in an unlawful “substantial burden” upon the Vine Church’s fundamental right to the free exercise of religion. *See, e.g. Cottonwood Christian Center v. Cypress Redevelopment Agency*, 218 F.Supp.2d 1203, 1226 (C.D. Cal. 2002); *Sts. Constantine and Helen Greek Orthodox Church, Inc. v. City of New Berlin*, 396 F.3d 895 (7<sup>th</sup> Cir. 2005) [“The burden here was substantial. The Church could have searched around for other parcels of land (though a lot more effort would have been involved in such a search than, as the City would have it, calling up some real estate agents); or it could have continued filing applications with the City, but in either case there would have been delay, uncertainty, and expense.” ]

In the recent case of *Guru Nanak Sikh* the court stated that “to prove a substantial burden under RLUIPA, a religious group need not ‘show that there was no other parcel of land on which it could build its church.’” *Guru Nanak Sikh Society of Yuba City, Id.*, --- F. 3d ----. In the present case, some suggest that there are alternative sites for the Vine Church. But even if that were theoretically true, in view of the *Guru Nanak Sikh* decision last month, that in itself does not suggest that the Vine Church would not face a substantial burden if the application were denied.

In conjunction with the First Amendment, RLUIPA requires any government-imposed restriction on religious exercise to serve a compelling governmental interest that is of the highest order. *See Church of the Lukumi Babalu, supra*, at 546. Of the few governmental interests which have been deemed compelling, most are directed toward the prevention of grave and immediate dangers to the public's health, peace, and welfare. The facts in the present matter indicate no such grave and immediate dangers.

### CONCLUSION

The Pacific Justice Institute thanks you for your review and consideration of the discussion in this missive. Should the City’s staff have any questions, please feel free to contact us at the address and phone number on this letterhead.

On behalf of the Pacific Justice Institute, please accept our gratitude for your service to the community.

Item 2  
9-19

Very truly yours,

Kevin T. Snider  
Chief Counsel  
PACIFIC JUSTICE INSTITUTE

Since the provisions of RLUIPA parallel the protections provided by the First Amendment and Equal Protection Clause of the Fourteenth Amendment, violation of RLUIPA necessarily entails violations of the United States Constitution.

PAGE

Page PAGE - 4 -  
DATE \@ "M/d/yyyy" 9/15/2006

9-19  
Council  
Comments  
F. Mehan

# FIX 46 NEWS LETTER

Mary E. Chambers ( 805-239-2888

DATE :: OCTOBER 19, 2006

PASO ROBLES, CALIF. ELKS LODGE 14TH & PARK )

*Please read at the City Council Meeting. Mary*

MEETING OPENED BY MARY E. CHAMBERS, Fix 46  
Chairperson

Our Fix 46 group goes back to 1995 with the town meeting in Paso Robles. So many death on this road, it is referred to Blood Alley.

## FLAG SALUTE, AND BLESSINGS

The Tribune family lost many of their family members at the Wye.

## INTRODUCTION

We look back to our work on safety, and how our patrolling grants have created safety, because of the sight of the patrol.

## AGENDA

We look at the rumble strips & botts dots for the sleeping drivers. The deaths dropped on the highways safety efforts.

## REPORTS FROM GOVERNMENTAL ENTITIES :

With this attempt to create safety for the motorist, our Caltrans folks are working to clear all the environment problems. We are still working to receive the last signature from the Army Core of Engineers. This is so important to the safety of the most vital area. The Wye.

Caltrans : Mr. Tom Houston, Program Planner--Update  
on progress and approval.

Our Congressman, Mr. William M. Thomas obtained our Federal Gas tax dollars to give to us for our route. Our legislators are still working to gain the full right of way.

## CALIFORNIA HIGHWAY PATROL

**We are now in 2006.** Many folks have retired and moved to different areas. Most of our committee is still very active.

REPORTS ON UPDATES OF PATROLING ON HIGHWAY 46.

SAN LUIS OBISPO COUNSEL OF GOVERNMENTS -- Update  
of financial progress.

Our Minutes are being written by: Ann Ormonde, Steve Ormonde's sister-law. Steve is one of our committee members. He has held meetings at his place of business, The Truck Center, Paso Robles.

John Costarella, a committee member had the restaurant at Golden Hill, we had many meetings and parties there.

Our Past City Mayor Mr. Walt Macklin opened a room at the library  
For our first meeting with all parties involved.

~~3~~ 9-19  
Council Comments

**Council Comments  
Councilmember Fred Strong  
September 19, 2006  
Report on The California League of Cities' Annual Convention**

**Wednesday, September 6:**

**Tour and workshop on downtown redevelopment. Tour packets delivered separately to Council, City Manager and City Clerk for inclusion in master minutes.**

**Management Planning for City Staff**

Also, see "Development Tools".

46.3% of government employees are over age 45.

Until 2008 more government jobs will be created by replacement than by expansion.

Recruiting techniques:

1. Do NOT use newspaper classified ads as qualified people seeking jobs generally consider newspaper ads as being for "loser" jobs.
2. Use web sites for written recruitment, especially your own website. SELL the workplace and community environment with words that generate excitement. Use testimonials from current employees at all levels of employment.
3. Use job fairs at high schools, colleges and Universities for both full time and temporary (summer) employment opportunities. Find out the career path of interested people and choose those whose career path might lead back to the City for future needs.

Once employed use "development tools" and create a "buy in" environment and motivation.

Track employment turnover by department and take a close look at causes if turnover is significantly higher in some departments as compared to others.

Reduce "technical" training and increase career path and progress education.

**Make performance evaluation and interview an EVENT!**

Reduce meetings and increase availability.

Remember longevity does not create knowledge, education and research creates knowledge.

Use job assignment rotation and cross fertilization of departments as a tool for Career progress.

Leadership and management development should foster:

self-awareness

self-confidence

ability to take a broad systemic view

ability to work effectively in social systems

ability to think creatively

---

ability to learn from experience

### **Models for Success in Rebuilding City Facilities**

Belmont Library project

Used many mechanisms to build community support from within the community.

This session was a mirror image of how Paso Robles has traditionally built its major facilities.

## Development Tools...

1. **Variety of Job Assignments:** People learn lessons from different job assignments – line to staff switches, starting from scratch, fix-it-opportunities, larger- or smaller-scope jobs, project or task force assignments – and even from setbacks.
2. **On-the-Job Coaching:** This approach is particularly useful for developing improved job performance and involves day-to-day discussions between the manager/supervisor and individual. It may be used to upgrade skills or technical knowledge and may involve progress discussions, question-and-answer sessions, or working through an actual problem with the individual to provide direction and guidance.
3. **Understudy:** Here, the employee works closely with a manager as an "understudy" to develop potential for assuming a manager's position or understanding his or her supervisor's job better. This technique is particularly useful for developing both knowledge and skill areas.
4. **Shadowing:** Following another person around and watching what they do – "shadowing" them – can be extremely helpful in learning about a particular area or function and a person's role in supporting it. The process could entail an hour, a day, a week, or a month of observing, attending meetings with the person, etc.
5. **Job Enrichment:** This involves expanding present responsibilities to include a wider variety of assignments and duties. It is effective for improving both skill and knowledge areas, but should be limited to those who already are effective in their present positions, since it requires expanding work performance rather than simply adding more of the same work.
6. **Job Rotation and Lateral Moves:** This involves moving to other, same-level jobs within the organization. Different functions increase employees' knowledge of the organization and require a different skill set. This is becoming a common development move and is particularly useful for exposing employees to new areas.
7. **Task Force Assignments:** Here, employees are assigned to committees or task forces. This is beneficial to acquiring skills for complex problem resolution and participating on team/group work. This strategy develops current job performance and promotion potential.
8. **Higher-Level Meeting Attendance:** here, employees attend and participate in selected meetings. Involvement may include preparation of materials, participation in discussions, or just observation. Knowledge or management skills can be acquired, depending on the role of the individual at such meetings as well as exposure to the thinking and procedures of high management.
9. **"Acting" or Replacement Assignments:** Employees are given temporary assignments that are vacant because of illness, vacation, or other reasons. This strategy is particularly useful for developing skills and knowledge critical to promotion potential.
10. **Serving as a Conference Leader or Instructor:** This is beneficial to developing both skills and knowledge. Preparation and research for teaching can provide valuable knowledge.

**September 19, 2006**  
**Council Comments (continued)**  
by Councilman Fred Strong

- In addition to the previous sessions I attended a session which outlined some of the pending and adopted legislation regarding density bonuses for low and moderate income housing. This session also acquainted us with certain areas of local descretion which may be pre-empted by new State legislation.

- The General Session where I cast the vote for the City of Paso Robles considered three resolutions. Two of them involved changes to procedure for the Annual League meeting and one involved giving local jurisdictions authority to impose penalties on those convicted of speed exhibition.

I also represented Paso Robles at the Integrated Waste Management meeting this month and made the motion and voted to approve the acquisition of an additional half million dollars in grants made available to this region for use in the current fiscal year. The motion included an amendment to this year's budget so that the money can be utilized for the purposes intended.





*Fred Strong  
comments  
from League  
mts  
9-19  
minutes*

## ECONOMIC GAIN FROM REDEVELOPMENT

Past 31 Years  
Centre City Redevelopment Projects

PRIVATE INVESTMENT		\$ 7.5 billion
PUBLIC INVESTMENT		\$ 898.5 million
Private/Public Investment Ratio		<u>8.3:1</u>
<b>TAXES</b>		
Agency - Tax Increment		\$ 558.0 million
City - General Fund Revenue		\$ 474.6 million
TOT (since 1984)	\$329.2 million	
Sales Taxes (since 1984)	\$114.1 million	
Property Taxes (since 1984)	\$ 31.3 million	
<b>TOTAL TAXES</b>		<u>\$1,032.6 million</u>
<b>ANNUAL TAXES</b>		
Property		\$ 75.4 million
Sales		\$ 7.5 million
T.O.T.		<u>\$ 33.4 million</u>
<b>TOTAL ANNUAL TAXES</b>		<u>\$ 116.3 million</u>
<b>ANNUAL YIELD TO CITY</b>		<b>11%</b>
Public Improvements/Infrastructure		\$ 433.6 million
Housing Units Developed/Assisted		12,687 units
Low/Mod Housing (2,527 units)		
Hotel Rooms		6,563 rooms
Office/Retail space (sq. ft.)		6.6 million
<b>JOBS (estimated)</b>		
Construction		33,400
Permanent		26,000
City Loan Repayments/Transfers/Other		\$ 91.1 million

The above does not include the many economic benefits generated from businesses and related job gains. CCDC 03-23-2006