



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, October 17, 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 Dr. Ed Bedrosian

ROLL CALL Councilmembers Jim Heggarty Gary Nemeth, Duane Picanco, Fred Strong, and Frank Mecham

PUBLIC COMMENTS - None

AGENDA ITEMS TO BE DEFERRED (IF ANY) - None

PRESENTATIONS

1. Foreign Exchange Student and Host Family Recognition

F. Mecham, Mayor

Daniel Alves, Brazil (Sandoval Family)
Mild Ariyashura, Thailand (Murray Family)
Natalia Baños, Spain (Foster Family)
Stefania Guglielmi, Italy (Henderson-McBean Family)
Pook Khantiwanit, Thailand (Dallons Family)
Yuka Kobayashi, Japan (Owens-Goodrich Family)
Michaela Martiskova, Slovakia (Magnusen Family)

Edouard Ralet, Belgium (Gregg Williams)
Gabriela Serrati, Brazil (Poalillo Family)
Ayumi Munakata, Japan (Suzan Takacs)
Tornike Rizhvadze, Georgia (Blackner Family)
George Thomas, India (Anne Spohnhauer)
Dahlia Ningrum, Indonesia (Mary Ellen Lewis)
Rahel Hardmeier (student teacher), Switzerland
(Toni Pavelka)

Mayor Mecham introduced Kathy Myers, Gregg Williams, and Ed Railsback who assisted in the presentation of recognition certificates to both the students and host families. Mayor Mecham presented a certificate of recognition to Gregg Williams, accepting on behalf of the Paso Robles School District, for continued support of the Paso Robles High School International Club.

PUBLIC HEARINGS

2. Downtown Parking and Parking In-Lieu Fee Program

R. Whisenand, Community Development Director

Consider revising parking standards for the Downtown Area and set a parking in-lieu fee.

Mayor Mecham opened the public hearing. Speaking from the public was Tim Woodle, Pults & Associates, Tony Horzen, Larry Werner, North Coast Engineering, Kimo Pankey, Nick Gilman, and Vicki Silva. There were no further comments from the public, either written or oral, and the public discussion was closed. A revised draft Ordinance was distributed to Council with recommendations from the Planning Commission, and Mr. Werner submitted proposed wording for Section C for consideration by the City Council (both attached to these Minutes).

Councilmember Strong, seconded by Councilmember Nemeth, moved to adopt Resolution No. 06-196 approving a Negative Declaration for Code Amendment 06-001.

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

Councilmember Strong, seconded by Councilmember Nemeth, moved to introduce for first reading a revised Ordinance No. XXX N.S., incorporating the Planning Commission recommendations, and a portion of Mr. Werner's proposed wording, amending the Zoning Code's regulations for downtown parking, and set November 7, 2006 as the date for adoption of said Ordinance.

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

Councilmember Strong, seconded by Councilmember Nemeth, moved to adopt Resolution No. 06-197 establishing an initial In-Lieu Parking Fee of \$3,000 per space with a minimal annual adjustment of \$1,500 plus CPI.

Motion passed by roll call vote.

AYES: Heggarty, Nemeth, Strong, and Mecham

NOES: Picanco

ABSTAIN:

ABSENT:

3. **Solid Waste Facility (Landfill) Permit Revision – Initial Environmental Impact Study Negative Declaration**

R. Whisenand, Community Development Director

For the City Council to consider approval of an Initial Environmental Impact Study Negative Declaration for minor changes to the Landfill operating permit, increasing throughput capacity and extending daily operating hours. Closing times will remain the same.

Mayor Mecham opened the public hearing. Speaking from the public was Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed. Joseph Miller, Vice President, SCS Engineers, answered questions regarding the study prepared by his firm. Minor clerical corrections to the report were noted and are attached to these Minutes.

Councilmember Heggarty, seconded by Councilmember Strong, moved to adopt Resolution No. 06-198 approving a Negative Declaration for the Project.

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

CONSENT CALENDAR

Mayor Mecham called for public comments on Consent Calendar items. Kathy Barnett requested Item No. 10 be pulled for separate discussion. There were no further comments from the public, either written or oral, and the public discussion was closed.

4. Approve City Council minutes of October 3, 2006
5. Approve Warrant Register: Nos. 65322—65483 (09/29/06) and 65484—65604 (10/06/06) and other Payroll Services.
6. Receive and file Advisory Body Committee minutes as follows:
Senior Citizen Advisory Committee meeting of August 14, 2006
Citizen's Airport Advisory Committee meeting of August 24, 2006
7. Read, by title only, and adopt Ordinance No. 923 N.S. approving Rezone 05-006, to amend the Zoning Map from Agriculture-Airport Overlay (AG-AP) to Parks and Open Space Resort/Lodging and Airport Overlays (POS-R/L-AP) for the property located in northeast Paso Robles, along the east side of Airport Road, just north of the intersection of Airport Road and Highway 46 East.
8. Adopt Resolution No. 06-199 to appropriate the \$18,500 from General Fund reserves for an amendment to the contract with Boyle Engineering for the FEMA required hydro-geological modeling approved October 3, 2006.

9. Adopt Resolution 06-200 approving the annexation of Parcels 1 and 2 located at 1640 Kleck Road to the Community Facilities District No. 2005-1, and Adopt Resolution No. 06-201 accepting recordation of Parcel Map PR 06-0035, a 3-lot subdivision, that was tentatively approved by the Planning Commission. All conditions imposed have been satisfied.

11. Adopt Resolution 06-203 appropriating \$27,000 from the wastewater operations account to fund the Salinas River Corridor Master Plan Supplemental Environmental Project, as approved by the Central Coast Regional Water Quality Control Board Order.

Consent Calendar Items Nos. 4-9 and 11 were unanimously approved on a single motion by Councilmember Heggarty, seconded by Councilmember Strong, with the exception of Item No. 10 being pulled for discussion. Councilmember Picanco abstained on Warrant Register Items Nos. 065427 and 05563.

Motion passed by the following unanimous roll call vote:

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

The City Council recessed at 8:45 PM. and reconvened at 8:55 PM. with the Mayor and all City Councilmembers present.

DISCUSSION

12. Visitor Promotion Services

J. App, City Manager

For the City Council to consider a one-year extension of agreement with the Paso Robles Chamber of Commerce/Visitor & Conference Bureau for visitor promotion services. Fiscal year 2006 payments to the Chamber/VCB included \$218,300 plus an incentive payment of \$19,606, and proposed payments of \$248,000 for fiscal year 2007 services. The Council ad hoc committee recommends approval.

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

Councilmember Nemeth, seconded by Councilmember Strong, moved to approve and authorize the Mayor to execute the agreement.

Motion passed by unanimous roll call vote.

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

**13. San Luis Obispo County Visitors & Conference Bureau -
Tourism Business Improvement District Formation**

J. App, City Manager

For the City Council to consider allowing formation of a business improvement district ("BID") to fund tourism promotion through the S.L.O. County Visitors & Conference Bureau ("SLOVCB"). Jonni Biaggini, Executive Director, San Luis Obispo County Visitors & Conference Bureau presented a report on the establishment of a BID in Paso Robles.

Mayor Mecham opened the public hearing. Speaking from the public was Mike Eisner, Paso Robles Inn, Karen Palmer and Jesse Patague, Holiday Inn Express, Therese Corca, Villa Toscana, Kathy Barnett, and Matt Masia. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Strong, moved to continue the item to the November 7, 2006 City Council Meeting.

Motion passed by unanimous voice vote.

14. Highway 101/46W Interchange Improvements - Theatre Drive Realignment

D. Monn, Public Works Director

A 2005 Project Study Report identifies alternatives to improve safety and reduce congestion at/near the Highway 101/46W interchange. The cost to construct the ultimate improvements is estimated at \$60 million. A Community Facilities District will be formed to fund the area's private development share of interchange improvements.

Consider authorizing the Phase 1-A design and appropriate funding to realign the Theatre Drive connection at Highway 46 to the west, and improve Theatre Drive to the southerly City limits for an estimated construction cost of \$22 million. Enter into a contract with URS Corporation for the preparation of Phase 1-A construction documents in the amount of \$394,602. An additional amount of approximately \$55,000 is to cover project contingencies and fees to pay PG&E for underground utilities.

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

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to adopt Resolution No. 06-204 to:

1. authorize a transfer from the Traffic Mitigation Development Impact Fee Fund to the Highway 101/46W CFD Fund in the amount of \$450,000; and
2. appropriate \$450,000 for the design of the first phase improvements at Highway 101/46W; and
3. authorize the City Manager to enter into a contract with URS Corporation to prepare the construction documents in the amount of \$394,602.

Motion passed by unanimous roll call vote.

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

15. Signage and Crosswalk on Clubhouse Drive and The Esplanade

D. Monn, Public Works Director

For the City Council to consider a request for a pedestrian crossing on Clubhouse Drive at The Esplanade intersection and install 25 MPH signage in an attempt to slow traffic and protect persons crossing at this location. The request was approved by the Streets and Utilities Committee.

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

Councilmember Heggarty, seconded by Councilmember Strong, moved to approve the installation of a pedestrian crossing on Clubhouse Drive at The Esplanade intersection and the installation of pedestrian crossing and 25 MPH signage also on Clubhouse Drive.

Motion passed by unanimous roll call vote.

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

16. Conversion to Diagonal Parking on Oak Street

D. Monn, Public Works Director

For the City Council to consider a request to convert parking from parallel to diagonal along the east side of Oak Street from 21st to 23rd Streets. The request was approved by the Streets and Utilities Committee. The estimated cost of \$600 will come from the fiscal year 2006/2007 maintenance budget. Costs will be paid by developer for the 2100 block of Oak Street.

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 approve the request to convert parking from parallel to diagonal on the east side of Oak Street from 21st to 23rd Streets.

Motion passed by unanimous roll call vote.

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

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

COUNCIL COMMENTS (Including oral reports on conferences attended) - None

CONSENT CALENDAR (PULLED AGENDA ITEMS)

Those items pulled for discussion were as follows:

10. Amend the Compensation and Benefit Plan for International Association of Fire Fighters, Local 4148, effective April 1, 2006 to March 31, 2010.

Mayor Mecham opened the public hearing. Speaking from the public was Kathy Barnett. 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. 06-202, amending the Compensation and Benefit Plan for International Association of Fire Fighters, Local 4148, effective April 1, 2006 to March 31, 2010.

Motion passed by unanimous roll call vote.

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

PUBLIC COMMENT ON CLOSED SESSION – None

City Attorney Iris Yang 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 10:15 PM.

The City Council thereupon adjourned to Closed Session in the 2nd floor Large Conference Room.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 10:45 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Iris Yang announced that no reportable action was taken.

By unanimous voice vote, Council moved to adjourn from regular session at 10:50 PM.

ADJOURNMENT:

- TO THE CHANNEL DIVISION LEAGUE OF CALIFORNIA CITIES QUARTERLY MEETING, AT THE RONALD REAGAN PRESIDENTIAL LIBRARY, 40 PRESIDENTIAL DRIVE, SIMI VALLEY, CALIFORNIA, FRIDAY, OCTOBER 20, AT 6:00 PM.
- TO THE ROBERT R. RADER BRIDGE DEDICATION ON FRIDAY, NOVEMBER 3, 2006 AT 13TH STREET BRIDGE AND NORTH RIVER ROAD
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, NOVEMBER 7, 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.**

Memorandum

To: Mayor and Council

From: Ronald Whisenand, Community Development Director 

CC: Jim App, City Manager

Planning Commission

Iris Yang, City Attorney

Date: 10/11/2006

Re: Downtown Parking & In Lieu Fee Program

The Downtown Parking Ordinance and In Lieu Fee Program, which is on your October 17th Council agenda, was presented to the Planning Commission on October 10th for review and recommendation. The Commission engaged the community and discussed the various issues associated with the program. The Commission believed the draft ordinance changes, including amended parking ratios outlined in your report were appropriate and there was very little discussion on the actual changes being proposed. The primary focus of their discussion was on setting the actual per space in lieu fee.

The Commission was initially split in their recommendation to Council. While all supported the in lieu fee program for the downtown, several Commissioners felt that the City should set the initial fee much higher than the \$3,000 contained in the draft resolution. The basis for their concern was that the downtown parking fund would grow too slow if early developments were allowed to pay a fee far less than the targeted \$15,000. The remaining Commission members were comfortable setting the fee on the low end initially as effective tool to "ease in" the new program to the development community.

One related discussion point that was raised, was whether an option should be offered for developers to pay the fee in installments in order to build it into their operating budgets rather than as an initial construction expense. The idea was presented by Commissioners who favored a higher fee as a way to lessen the impact on the development community by allowing the City to receive a higher fee amount, but over an extended period of time.

While this program has merit and is also supported by the Chamber of Commerce (see support letter attached to your Council Report), it does create some challenges for City staff. The primary impact on staff is in the tracking that will be required to ensure fees are paid, address business/property owner changes, and collect

delinquent fees. In addition to the staffing impacts, the program could put undue political pressure on the City Council. Our sole tool to collect delinquent fees would be to void a project's conditional use permit or certificate of occupancy, in effect closing an operating business. Such a decision would be very difficult to make.

Ultimately the Planning Commission supported the program and made the following recommendations:

1. Recommend City Council adoption of the draft Negative Declaration of Environmental Impact – Vote: 6-0 (Commissioner Menath absent)
2. Recommend City Council adoption of the draft Downtown Parking Ordinance with clarified text (see attached legislative draft) – Vote: 6-0 (Commissioner Menath absent)
3. Recommend the City Council:
 - a. adopt an In Lieu Fee Resolution setting the initial fee at \$4,000 per space with an annual increase of \$1,500 plus CPI; and
 - b. direct staff to address a downtown parking incentive program (such as a reduced parking requirement) for properties that create underground parking. This program is to be studied with the larger downtown parking and financing study to be completed in 2007.

Vote: 4-2 (Commissioner Menath absent; Commissioners Whithers and Flynn voting no)

4. Recommend to the City Council that they consider an alternative that would allow developers of downtown property who choose to pay an fee in lieu of providing parking the option to finance the fees over an extended period of time – Vote: 4-2 (Commissioner Menath absent; Commissioners Whithers and Flynn voting no)

Attached:

Recommended Planning Commission Ordinance Edits

21.22.035 Downtown area parking space requirements.

A. Retail Commercial, Service Commercial, and Commercial Recreation land uses located within the downtown area shall be required to provide off-street parking spaces at the ratio of one (1) space per 400 square feet of gross floor area.

B. Residential Uses

1. Dwellings containing two (2) bedrooms or more shall be required to provide off-street parking spaces at the ratio of one and a half (1.5) parking spaces per dwelling unit.
2. Dwellings containing one (1) bedroom shall be required to provide off-street parking spaces at the ratio of one parking space per dwelling unit.
3. Studio dwellings shall be required to provide off-street parking spaces at the ratio of three quarters (.75) of a parking space per dwelling unit.

C. All parking provided for any downtown building or use shall be located within an enclosed structure or behind the building and accessed off an alley. This requirement does not apply to municipal parking facilities provided for general downtown use.

D. Downtown buildings not meeting current parking requirements that are replaced or reconstructed, shall not be required to provide more on-site parking than existed at the time of demolition or remodel. Expanded floor area beyond what previously existed shall be subject to downtown parking requirements.

E. The Downtown Area parking requirements contained in this section may be satisfied partially or in full through the payment of an In-Lieu Parking Fee. The In-Lieu Parking Fee program shall be administered as follows:

1. **Establishment of Amount of Fee:** The amount of the In-Lieu Parking Fee shall be set by separate resolution of the City Council. The City Council may adjust the fee at their discretion as frequently as is deemed necessary based on factors including, but not limited to, inflation, the cost of providing new parking spaces, and the market value of parking spaces.

2. **Applicable Geographic Area:** Properties eligible to apply to participate in the In-Lieu Parking Fee program shall be those parcels located within the Geographic Boundaries of the Downtown Area as shown on Exhibit "A", Figure 21.22-4 of the City's Zoning Regulations

3. **Payment of Fee:** Payment of In-Lieu Parking Fees shall be made to the City in one lump sum ~~prior to the issuance of a building permit~~ calculated and paid at the time of building permit issuance or if a building permit is not required, within fourth-five (45) days of request by City for payment. The In-Lieu Parking Fee shall be a one-time-only, non-refundable payment and shall be considered full satisfaction of the off-street parking requirement for the number of parking spaces for which the fee was paid.

5. **Effect of Payment:** In-Lieu Parking Fees shall be used exclusively to make available additional parking spaces for public use within the Downtown Area and does not guarantee the construction of spaces in any particular area of the Downtown Parking Area or within any particular period of time. In-Lieu Parking fees are solely an alternative means of satisfying the applicant's obligations to provide off-street parking as required by this Chapter and payment of the In-Lieu Fee does not carry any other guarantees, rights, or privileges to the applicant. The location, type, and configuration of parking spaces funded by In-Lieu Parking Fees are at the City's sole discretion.

minutes *Item 2*

Ron Whisenand
Community Development Director
City of El Paso de Robles, CA

*Larry
Werner*

Dear Ron,

Please consider the following changes to Section 21.22.035 of the proposed zoning code amendment for Downtown parking. Changes are shown in italic

C. All parking provided for any downtown building or use shall be located within an enclosed structure or behind the building and accessed off an alley. *When alley access is not available, parking should be accessed from a local street if available and from the arterial street if no other access is available. In any case, parking shall be completely screened from the primary street through the use of sufficient landscaping, screen walls or a combination of landscaping or screen walls.* ~~This requirement does not apply to municipal parking facilities provided for general downtown use.~~



PROPERTIES, LLC

October 17, 2006

Honorable City Council Members
City of El Paso de Robles
1000 Spring Street
Paso Robles, CA 93446

RECEIVED
CITY CLERK'S OFFICE

OCT 17 2006

CITY OF PASO ROBLES

*Minutes
Item 2,*

Re: Proposed Downtown Parking and Parking In Lieu Fee Program

Dear Council Members,

I am an owner of a recently approved 30,000 square foot mixed-use building within the proposed Downtown Parking Area. Since I will be out of town on Tuesday, October 17th, I want to take this opportunity to comment on the proposed program. **I am in overall support of your proposed program.** I find the analysis and recommendations to be supportable with very few exceptions. In the spirit of positive feedback, **I would like you to consider a few points that I think would be beneficial to the downtown property owners and the community.**

1. Payment of Fee: (Item E.3. page 42 of 45)

As written, this language would have the unintended consequence of discriminating against larger projects because smaller projects take less time to process through the building permit process. To remove any preference for small projects versus large projects, I would suggest the following as an equitable solution: **the fee amount shall be established at the time of project approval, and the fee shall be paid at the time of occupancy.** There are many factors that influence when a project will be ready to be permitted. Some of those factors include the time to prepare the plans and specifications and an uncertain plancheck time frame. The financing of a project can hinge on the certainty of the cost estimate. If a project is subject to an escalating fee that is not yet established because the construction permit has not been issued, the financial institutions are hesitant to commit to funding. **Certainty of costs is paramount for the owner and their potential lenders.** Therefore, **a specific fee amount needs to be established at the earliest opportunity to ensure the viability of the project.**

2. Establishment of Amount of Fee: (staff report; page 2 of 45, bottom of page)

Conventional wisdom dictates that "if it's too expensive, I can't afford to buy it." This validity of this maxim was demonstrated in this city when the previously required fee of \$10,000/space for downtown parking resulted in virtually NO downtown expansion during the 90's. The signals are clear. **"...if the fee is too high, the end result will be a chilling of the incentive to rebuild and expand downtown".** If it is the desire of the Council to promote the redevelopment and expansion of the downtown center, and thus ensure the renewed interest in the city core, then I suggest that the City Council **adopt a fee of \$2000/space for projects approved within the first two (2) years after approval of this ordinance, and that the fee will escalate \$1000/space every two (2) years thereafter (with a CPI adjustment added) until the fee reaches \$15,000/space (CPI to be added).** If the downtown area has the potential to become what I hear the Council believes it can be, then you cannot risk stifling optimism with a regulatory disincentive.

I apologise for not being present to deliver my message personally, but I trust that you will recognize the impact that high in-lieu fees will have on the development future of downtown Paso Robles. I have committed to moving forward with my project while other property owners have held back. I have done so on the belief that a strong downtown, with a vibrant sense of place, is more important in the long run than risking the alternative by imposing high in-lieu fees. Please be reasonable and take a step forward for the potential of the downtown core. **Be moderate and you will encourage a healthy downtown.**

Sincerely,

Daniel R. Lloyd

Phone: 805-441-2454 • Fax: 805-238-0682
P.O.Box 3167, Paso Robles, CA 93447

Minutes Item 3 EG



LINDA S. ADAMS
SECRETARY FOR
ENVIRONMENTAL PROTECTION



ARNOLD SCHWARZENEGGER
GOVERNOR

CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

1001 I STREET, SACRAMENTO, CALIFORNIA 95814 • P.O. BOX 4025, SACRAMENTO, CALIFORNIA 95812-4025
(916) 341-6000 • WWW.CIWMB.CA.GOV

*Paso Robles
OCT 16 2006
Planning Division*

MARGO REID BROWN
CHAIR,
MBROWN@CIWMB.CA.GOV
(916) 341-6051

October 10, 2006

Mr. Ed Gallagher
City of Paso Robles
Community Development Services Department
Planning Division
1000 Spring Street
Paso Robles, CA 93446

JEFFREY DANZINGER
JDANZINGER@CIWMB.CA.GOV
(916) 341-6024

ROSALIE MULÉ
RMULE@CIWMB.CA.GOV
(916) 341-6016

SUBJECT: SCH #2006091070, Project Description/Initial Study Checklist Form
Proposed Solid Waste Facility Permit Revision, City of Paso Robles
Landfill, Facility No. 40-AA-0001

Dear Mr. Gallagher:

CHERYL PEACE
CPEACE@CIWMB.CA.GOV
(916) 341-6039

California Integrated Waste Management Board (CIWMB) staff has reviewed the Project Description/Initial Study Checklist Form (IS) Proposed Solid Waste Facility Permit Revision, City of Paso Robles Landfill, dated September 12, 2006, for the proposed project as it pertains to the City of Paso Robles Landfill's Solid Waste Facility Permit (SWFP). CIWMB staff reviewed the preliminary draft of the IS and appreciate that staff's comments were taken into consideration and reflected in this version of the IS. Below is CIWMB staff's understanding of the project, a description of the CIWMB's role as a Responsible Agency, and comments/questions on the IS.

GARY PETERSEN
GPETERSEN@CIWMB.CA.GOV
(916) 341-6035

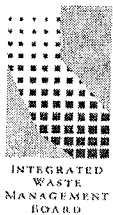
Project Description

The City of Paso Robles Community Development Services Department, acting as the lead agency, has prepared and circulated the subject IS in order to consider and evaluate potential environmental impacts related to proposed changes in the operation of the City of Paso Robles Landfill. The proposed project described in the IS includes the following changes:

- Increase the disposal limit from 69,000 to 75,000 tons per year;
- Increase the disposal limit (peak) from 250 to 450 tons per day; and
- Change the operating hours to allow the facility to begin receiving waste at 7:00 a.m. daily, rather than 8:00 a.m.

No changes are proposed to the types of wastes accepted for landfill disposal, or to the permitted landfill footprint areas, final grades, or ultimate airspace capacity.

The IS identified that the proposed project could not have a significant effect on the environment and a Negative Declaration will be prepared.



Role of the CIWMB

The CIWMB is a responsible agency for the environmental review of this proposed project as well as for concurrence and issuance of a revised SWFP. The CIWMB works in cooperation with local government to protect the public health, safety, and the environment from potentially detrimental effects of improper solid waste management. In addition, the CIWMB concurs in the issuance of a SWFP to ensure that solid waste facilities operate in a manner consistent with applicable laws and regulations which are within the CIWMB's expertise and/or powers or which are required to be carried out or approved by the CIWMB.

Compliance with the California Environmental Quality Act (CEQA) is required for the establishment, expansion, or change in operation(s) of a solid waste facility requiring the issuance or revision of a SWFP. The CIWMB must ensure that solid waste facilities meet required state minimum standards for the protection of the public health, safety, and the environment. In order for CIWMB staff to evaluate and recommend whether or not an environmental review document is adequate for our use in the permitting process, the proposed project must be described in sufficient detail and the potential environmental impacts must be identified clearly in the environmental assessment and offer "mitigating measures, if any, included in the project to avoid potentially significant effects", CEQA Guidelines, Article 6, section 15071(e).

Comments/Questions

Page 6, Anticipated Deliveries by Vehicle Type – Table 3 projects the average daily trips (ADT) to be 165 at 450 tons per day (TPD). However, Appendix A, Table 3, includes a Future Maximum Day (450 TPD) Trip Generation of 165 loads per day or 330 ADT. The figures provided in the respective tables are not consistent. Please clarify the discrepancy.

The peak daily traffic volume may have to be reflected in any future SWFP revisions. Therefore, the peak traffic volume per day must be clearly documented and associated environmental impacts analyzed by the lead agency and subsequently approved/certified by the decision making body (e.g., Planning Commission, City Council).

CIWMB staff appreciates the opportunity to review and comment on the IS. Please forward any subsequent environmental documentation, copies of public notices, public hearings, record of decision, and notice of determination for this project to the CIWMB for our files.

If you have any questions regarding CIWMB staff's review of the IS, please contact me at 916.341.6413 or e-mail at jhackett@ciwmb.ca.gov.

Sincerely,



Jeff Hackett
Facilities Operations Branch
Permitting and Enforcement Division

cc: Brad Hagamann, City of Paso Robles, Public Works Department

Ed Gallagher

From: Miller, Joe [JMiller@SCSEngineers.com]
Sent: Wednesday, October 11, 2006 2:15 PM
To: Ed Gallagher
Subject: RE: Comment Letter on Paso Robles Landfill Initial Study

Ed -

The analysis is based on 330 ADT and conclusions of the traffic study and IS checklist remain unchanged.

The column heading for Table 3 in the project text should be labeled loads per day (rather than ADT) to be consistent with Appendix A. The ADT count is 2x the number of loads per day.

I trust this addresses the comment by the CIWMB.

Regards

Joseph J. Miller, P.E.
Vice President
SCS Engineers
6601 Koll Center Parkway, Suite 140
Pleasanton, CA 94566
Tel: 925-426-0080
Fax: 925-426-0707
jmillerscscengineers.com

-----Original Message-----

From: Ed Gallagher [mailto:EGallagher@prcity.com]
Sent: Tuesday, October 10, 2006 3:18 PM
To: Miller, Joe
Cc: Brad Hagemann
Subject: FW: Comment Letter on Paso Robles Landfill Initial Study

Joe,

We just received this letter from Jeff Hackett commenting on the Draft Negative Declaration. Would you please take a look at this and advise if it changes the conclusion? If the ADT is raised from 165 to 330, will that be significant?

-----Original Message-----

From: Hackett, Jeff [mailto:JHackett@CIWMB.ca.gov]
Sent: Tuesday, October 10, 2006 2:50 PM
To: Ed Gallagher
Cc: Brad Hagemann
Subject: Comment Letter on Paso Robles Landfill Initial Study

Hi Ed,

Thanks for forwarding Page 6 of Appendix A. Attached is my comment letter on the IS. A copy of the letter will also be mailed to you today.

If you have any questions, let me know.

Jeff

Of particular importance is the daily intake and traffic levels for the month of May, 2006, the period when the existing traffic counts were collected adjacent to the landfill access. The tonnage received at the landfill was about 180 TPD and there were about 166 average daily trips. The data was extrapolated to develop traffic forecasts assuming a maximum day tonnage of 250 TPD allowed under the existing permit. Figure 2 shows the traffic levels on SR 46(E) and at the SR 46(E)/Union Road intersection for the Existing + Permitted Maximum Day (250 TPD) scenario.

Traffic operations for the segment of SR 46(E) adjacent to Union Road and for the SR 46(E)/Union Road intersection were evaluated assuming the 250 TPD maximum day traffic levels. The results show that the segment of SR 46(E) operates at LOS C and the SR 46(E)/Union Road intersection operates at LOS B during the A.M. peak hour on days when the landfill takes in the maximum of 250 TPD.

LANDFILL TRIP GENERATION

Trip generation estimates for the landfill are shown in Table 3. Trip generation for the landfill was developed based on traffic count and tonnage intake provided by the landfill operator (data contained in Technical Appendix). The Future Maximum Day (450 TPD) scenario assumes that self-haul vehicles (standard sized vehicles such as pick-up trucks) will become a smaller percentage than exists today. The future year scenario also assumes that two long-haul tractor-trailers per day will use the landfill.

**Table 3
Paso Robles Landfill Trip Generation**

Scenario	Load Per Day	ADT ^a	A.M. PHT ^b
<u>Permitted Average Day (180 TPD)</u>			
Cash Customers (Self Haul)	49		
Commercial Compactor & Roll-Off	25		
Self-Haul Commercial	<u>9</u>		
Total	83	166	17
<u>Permitted Maximum Day (250 TPD)</u>			
Cash Customers (Self Haul)	68		
Commercial Compactor & Roll-Off	34		
Self-Haul Commercial	<u>12</u>		
Total	115	230	23
<u>Future Maximum Day (450 TPD)</u>			
Cash Customers (Self Haul)	78		
Commercial Compactor & Roll-Off	60		
Self-Haul Commercial	24		
Long-Haul Tractor Trailer	<u>2</u>		
Total	165	330	33

^a Average Daily Trips = 1 trip inbound + 1 trip outbound for each load.

^b A.M. Peak Hour Trips = approximately 10% of ADT based on traffic count data.



San Luis Obispo County Tourism

Business Improvement District

What is a T-BID?

- A self-imposed (through ordinance) assessment to fund pre-determined business related activities that benefit participating tourism businesses.
- Only lodging businesses will be assessed at 1% of short-term room rental
(RV parks excluded due to current inequality of TOT charges)

What is a T-BID?

- Allows a group of businesses in the Tourism industry to accomplish what they could not afford individually.
 - Promote leisure travel
 - Promote business travel
 - Promote film business
 - Niche Marketing
 - New Markets and Old Markets

Typical Marketing Plan Activities

- Advertising
- E-marketing
- Public Relations
- Market Research
- Conference and Group Sales
- Film Commission

The lodging industry must take the lead to determine it's success.

Why is a T-BID Proposed

- Increased competition from other destinations
- Decrease in Occupancy rates countywide
- Increase in room supply

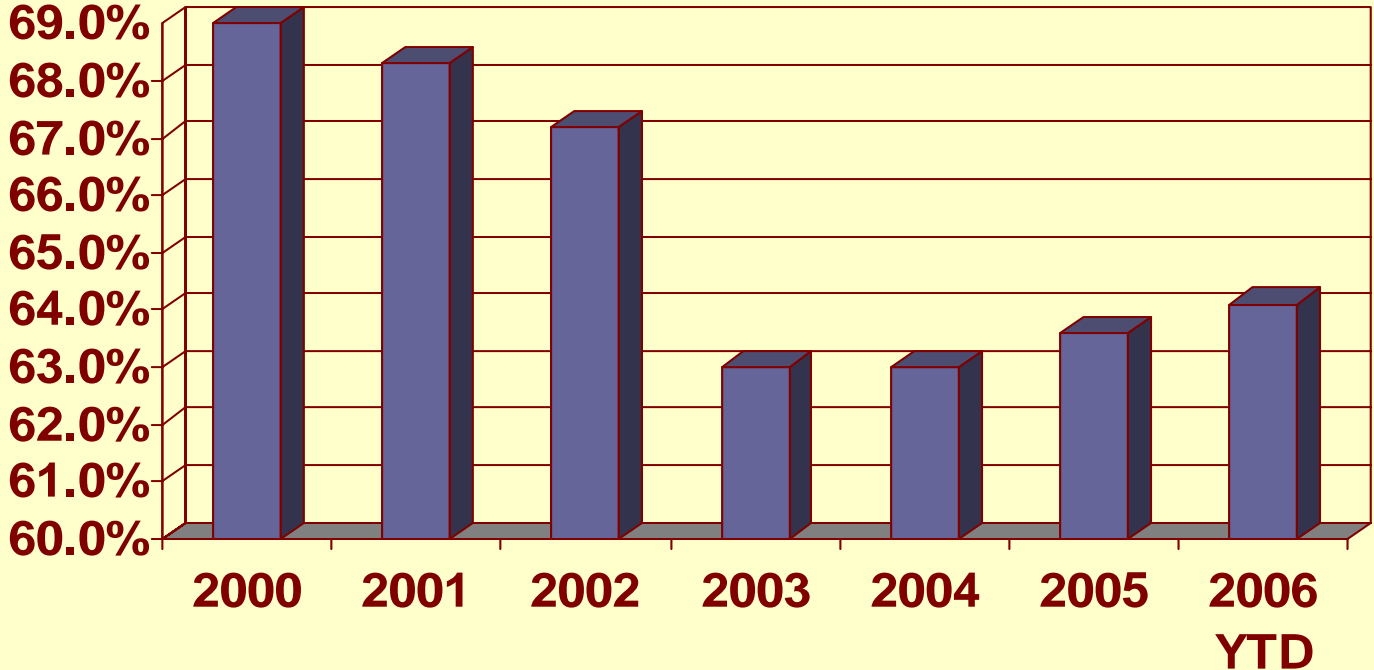
Competitive Set

	04/05 Budget	05/06 Budget	Rooms
Santa Cruz	\$913,540	\$946,830	5,529
Monterey	\$2,167,185	\$2,704,324 (before BID)	12,000
SLO County	\$863,000	\$870,000	8,200
Santa Barbara	\$1,500,000	\$1,748,000	9,500
Sonoma Co.	\$1,670,682	\$3,400,000 (with BID)	11,100

Tourism Dollars = Market Share

- California's domestic market share increased from 10.8% to 11.5% from 2000-2002 (budget = \$14 million)
 - California's domestic market share dropped from 11.5% to 10.7% from 2002-2003 (budget = \$7 million)
-

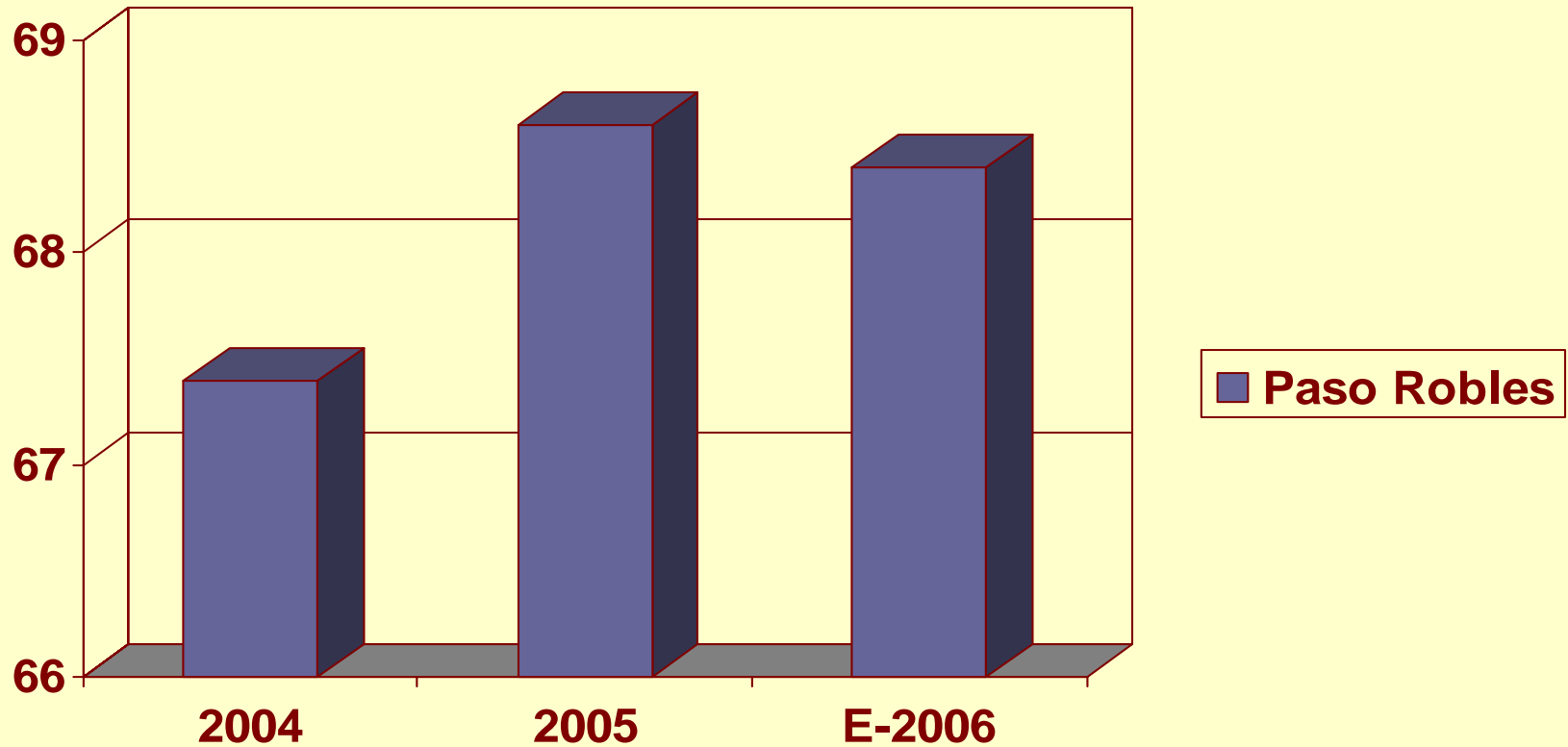
Current SLO County Occupancy Rates



Source: Smith Travel Research

■ SLO County

Paso Robles Occupancy

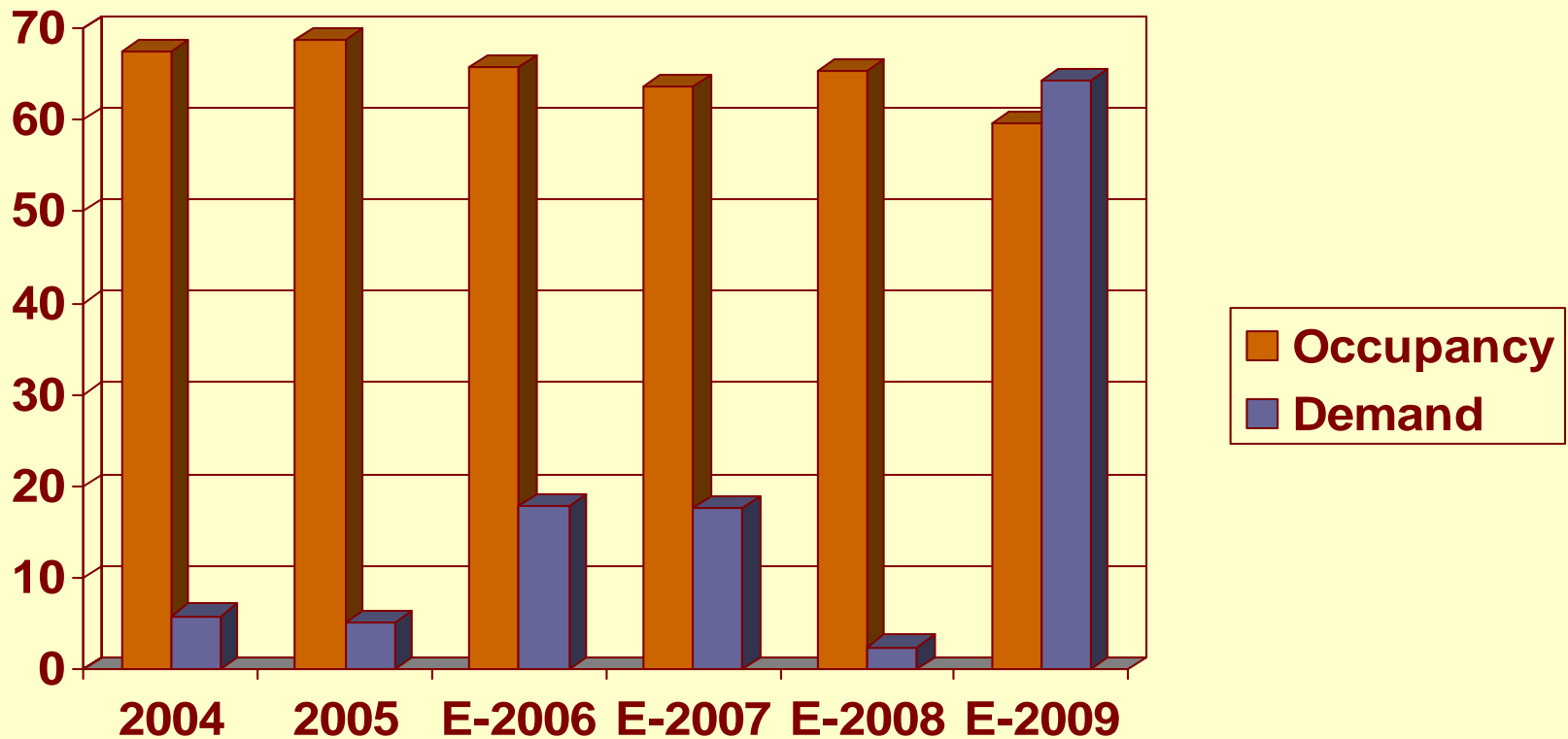


3,472 New Rooms Proposed

- 1,243 more in Paso Robles
- 159 more in Atascadero
- 425 more in San Luis Obispo
- 104 more in Avila Beach
- 190 more in Pismo Beach
- 229 more in Arroyo Grande
- 300 more in Grover Beach
- 766 more in unincorp. SLO County
- 56 more in Morro Bay

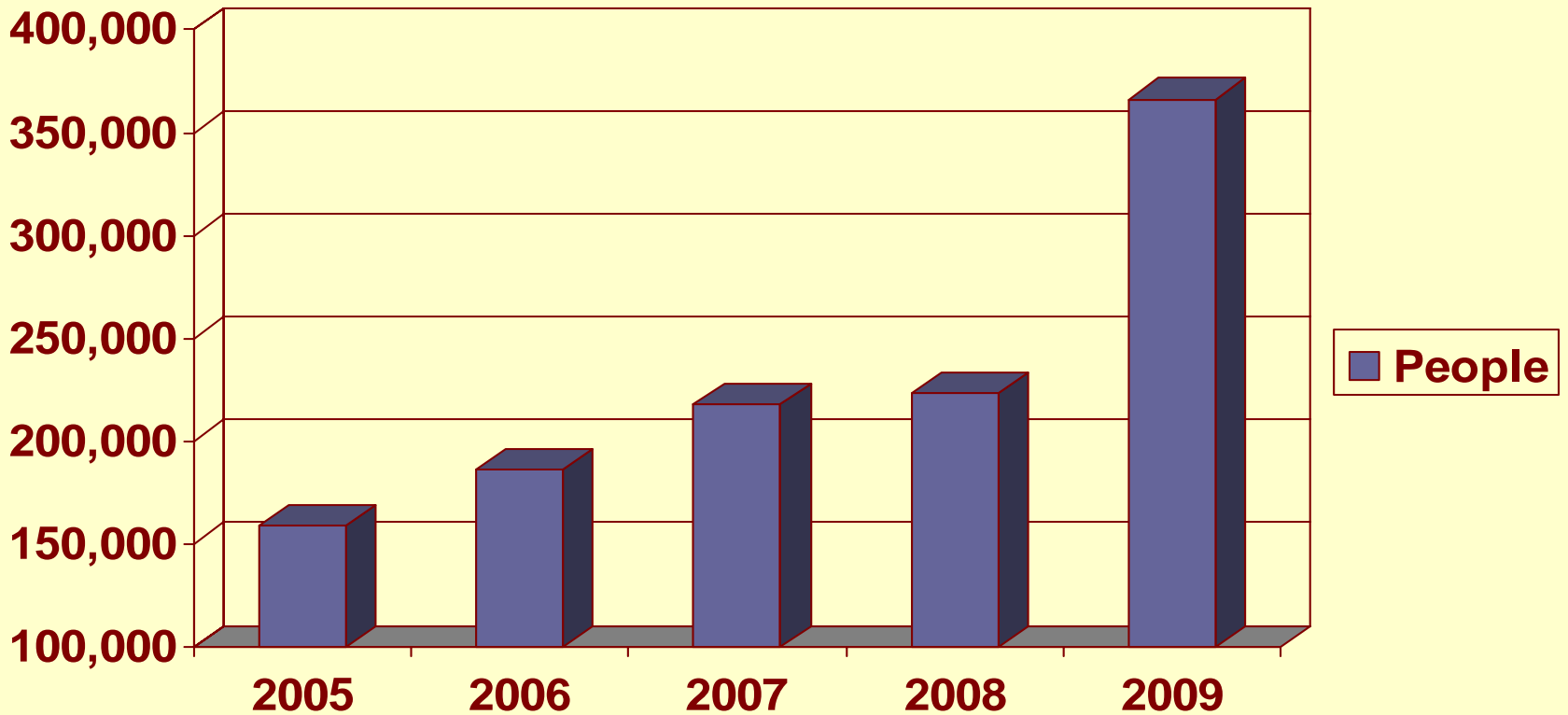
Since 2005 at 8,150 rooms

Occupancy Outlook in PR



E: Estimated

What is Demand?



T-BIDs are Changing the Landscape

- Those that were already promoting will now have a secure and consistent source for funding
- Those that haven't been promoting, are now able to.

There are 26 T-BIDs



Monterey County

Sonoma County

San Mateo County

Mendocino County

Placer Valley

Marin County

Lake Tahoe

Temecula

Carlsbad

Who Decides How BID funds will be spent?

- **The Lodging Industry**
 - 9 member Advisory Board

- **Marketing Committee**
 - Made up of all tourism categories develops plan for AB's approval

How will other Businesses Benefit?

- More people in town means all boats rise
- Website listings = direct referrals
- Participation in co-op programs
- Participation in development of marketing plans and programs

Myths vs. Facts

- SLO County VCB does nothing for the North County
 - 40 times ROI as reported to C of C in May '06
- Paso Robles doesn't need the BID – strong 80% occupancy
 - YTD occ is 71%, January is 51% occupancy and capacity is about to surge
- Local tourism promotion funds will dry up
 - BID funds are meant to augment, not diminish

More Myths vs. Facts

- With the BID, Paso Robles will be out-voted by South County every time
 - Concern is not shared by the lodging industry, and wine industry is huge draw
- National brand hotels have determined that Paso Robles is ripe for tourism growth
 - True, but don't confuse corporate brands with franchises. Different support, different training.

Myths vs. Facts

- Other tourism businesses will not be represented or be able to have input
 - The true elbow-grease work will be done by the marketing committee, made up of all tourism businesses. Final approval by Advisory Board.
- In order to opt out of the BID, a majority of the hotels have to take formal action.
 - Absolutely true. They will have to do something. If Paso Robles opts out, businesses and events will not be promoted by remaining BID district

Myths vs. Facts

- Half the hotels in the C of C survey are opposed to the BID
 - Don't know how many the survey represented. But 5 of 7 current, open, C of C member hotels are in favor of BID

Resolution Granting Consent

- County is asking if they can include Paso Robles in the district
- An approval will allow your lodging businesses to participate in the voting process.

The Future Could Be Bright

- Current marketing budget for promoting a countywide destination =
\$500,000
- After BID – marketing budget =
\$1.8 million