



City of El Paso de Robles

"The Pass of the Oaks"
MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
JANUARY 5, 1993

The City Council of the City of El Paso de Robles, meeting in regular session at 7:30 p.m. on the above date, in the School District Board Room was called to order by Mayor Christian Iversen.

ROLL CALL VOTE: Councilmember Jim Heggarty
Councilmember Steve Martin
Councilmember Walt Macklin
Mayor Pro Tem Duane Picanco
Mayor Chris Iversen

PUBLIC COMMENTS

Bob Wilcox requested that his item on the agenda, Item 17, be moved to the front of the agenda. A motion was made by Councilmember Heggarty, seconded by Councilmember Picanco, and passed unanimously to move Item 17 to the front of the agenda.

PUBLIC HEARINGS

1. Time Extension-Tract 1983-Newman

Mayor Iversen announced it was the time and place for public hearing on Tract 1983. Bob Lata, Director of Community Development, presented the staff report requesting one year time extension for single family residential subdivision. The project is located on the southeast corner of Meadowlark and Creston Roads. The Charolais extension has changed west of Creston Road but no official action had been taken.

Mayor Iversen opened the public hearing.

Tim Roberts-representing the applicant, stated that over the past two years Council policy has changed and requests that everything be brought current.

John McCarthy, Director of Public Works, stated that the Engineering Department sees no problem in dropping the island requirement from this subdivision due to it being adjacent to the Swift Tract, therefore, it would not seem appropriate to have a small section of median in Creston Road that did not continue on somewhere. This would be more of a hazard than benefit.

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

After discussion, it was moved by Councilmember Heggarty, seconded by Councilmember Macklin, to adopt Resolution No. 93-01, Granting

a One Year Time Extension, with Modified Conditions. Motion was passed on the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen
NOES: None
ABSENT: None

2. Street Abandonment 92.004, Unnamed Road Between 12th & 17th Streets - Erskine.

Mayor Iversen announced it was the time and place for public hearing 92.004, street abandonment. A Resolution of Intention was adopted at its November 17, 1992 City Council meeting and set a public hearing regarding vacating the subject road. The unnamed road has not been constructed, nor is it likely to be constructed due to terrain and oak trees in the public right-of-way.

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

It was moved by Councilmember Martin, seconded by Councilmember Macklin, to adopt Resolution No. 93-02, Vacating an Unnamed Road Between 12th & 17th Streets in the City of El Paso de Robles. Motion was passed on the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen
NOES: None
ABSENT: None

The meeting was adjourned to the Redevelopment Agency. Chairperson Martin, acknowledged all members were present.

3A. Redevelopment Agency Annual Report

Mike Compton, Director of Administrative Services, summarized the four sections contained in the annual report.

It was moved by Agencymember Macklin, seconded by Agencymember Picanco, to adopt Resolution No. RA 93-01, Adopting the Redevelopment Agency Annual Report for Fiscal Year 1992. Motion was passed unanimously by the following roll call vote:

AYES: Heggarty, Iversen, Macklin, Picanco, and Martin
NOES: None
ABSENT: None

3B. Joint Powers Authority

This item will be considered with Item 15, 1987 Sewer Revenue Bonds.

It was moved by Agencymember Picanco, seconded by Agencymember Macklin, and passed unanimously to adjourn back to the Regular City Council Meeting.

CONSENT CALENDAR

The **Consent Calendar** was approved upon motion by Councilman Martin, seconded by Councilman Picanco, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with the exception of Items 5 and 7 which were pulled for discussion. Motion passed by the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen
NOES: None
ABSENT: None

Those items approved are as follows:

- ITEM 4. Approve November 3, 1992 Council Meeting Minutes (R. Ramirez, City Clerk).
- ITEM 6. Approve Notes from Joint City Council/Planning Commission October 28, 1992 Meeting (R. Lata, Dir. of Comm. Dev.).
- ITEM 8. Receive & File Minutes of December 10, 1992 Streets & Utilities Committee Meeting.
- ITEM 9. Adopt Resolution No. 93-03, Approving a Negative Declaration for Improvements to the City Landfill (R. Lata, Dir. of Comm. Dev.).
- ITEM 10. Adopt Resolution No. 93-04, Accepting the Redevelopment Agency Annual Report as Presented for Fiscal Year 1992 (M. Compton, Dir. of Admn. Svc.).

Those items pulled for discussion are as follows:

- ITEM 5. Approve the Pre-Check Register (M. Compton, Dir. of Admn. Svc.).

Councilmember Macklin wished to bring page W51, Ken Maloney, to the public's attention. The testing of underground wells is another state mandate which is costing the city \$5,555.

Councilmember Macklin made a motion to approve the pre-check register, seconded by Councilmember Picanco, and approved by the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen
(abstaining on T00419)
NOES: None
ABSENT: None

- ITEM 7. Receive & File Minutes of November 2, 1992 Streets & Utilities Committee Meeting.

Ron Swank pulled this item due to the decision of the Streets and Utilities Committee regarding parking in the Industrial Park.

Assistant City Attorney, Roger Picquet, reminded the Mayor that this item is approval of the minutes and the only real issue should be whether or not the minutes accurately reflect the prior action. The Mayor acknowledged this fact, however, he wished to hear comments from Mr. Swank.

Mr. Swank would like to see the area remain at 48 hours parking, so that semi-trucks may park overnight.

Mayor Iversen commented that complaints from business's initiated this action as these trucks parked on the street for a long period of time were interfering with their deliveries and day to day business.

Councilmember Martin mentioned that according to the minutes, the Committee suggests staff look into the Vehicle Code and ordinance changes. The Council agreed that a draft ordinance is to be developed and a public hearing established. Councilmember Martin advised Mr. Swank that the 48 hours will be in effect until such an ordinance is brought before the Council.

Mr. Swank left his name and address with the City Clerk so that he may be advised of the public hearing.

It was moved by Councilmember Martin, seconded by Councilmember Macklin, and passed unanimously to receive and file the minutes of the Streets and Utilities Committee. Councilmember Picanco abstained due to a possible conflict.

DISCUSSION ITEMS

11. Oak Tree Removal Request-Parcel C of PR 80-159, Proposed Extension of Riverside Drive; Stanley

John McCarthy presented the staff report requesting to remove an oak tree to facilitate construction of a recycling center and subsequent improvement of Riverside Avenue. The arborist reports the tree in poor condition and indicates large limbs may drop due to its weak structure.

Dale Gustin commented that the tree is declining but it is not dead. He suggests the Council consider widening the street and provide angle parking, thus saving the tree.

It was moved by Councilmember Heggarty, seconded by Councilmember Picanco, to postpone this decision until the applicant can work with the oak tree design to accommodate the project. Motion was passed by the following roll call vote:

AYES: Heggarty, Macklin, Picanco, and Iversen

NOES: Martin
ABSENT: None

Councilmember Martin stated that the applicant would not be requesting the oak tree removal if they felt it was possible to work around the project.

12. Multi-modal Facility Feasibility Study Phase II

Charles Johnson, Engineer Staff, presented the staff report requesting to award bid for Engineering Consulting Services to complete the subject study. Three site possibilities were proposed; 1) Old Depot site at 6th & Pine (the prime choice), 2) Alliance, and 3) Fairground area.

After discussion, it was moved by Councilmember Picanco, seconded by Councilmember Macklin, to adopt **Resolution No. 93-05, Awarding Consultant Services Agreement to Boyle Engineering Corporation for Preparation of the Multi-modal Facility Feasibility Study Phase II** as presented. Motion was passed by the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen
NOES: None
ABSENT: None

13. 13th Street Bridge/Creston Road Corridor Design

Request to award bid for the development of a revised Plan-line for this circulation corridor was presented by Charles Johnson.

Mayor Iversen commented that he would like to see the \$250,000 spent on asphalt and actual improvements, however, staff's task in choosing the best consultant in line with what was approved with the CIP program is a good alternative.

It was moved by Councilmember Martin, seconded by Councilmember Heggarty, to adopt **Resolution No. 93-06, Awarding Consultant Services Agreement to CH2M Hill for Design of the 13th Street Bridge/Creston Road Corridor & Authorizing Execution of Said Agreement** as presented. Motion passed by the following roll call vote:

AYES: Heggarty, Macklin, Martin, and Picanco
NOES: Iversen
ABSENT: None

14. Landfill Closure/Postclosure Fund

Mike Compton, presented the state mandate that landfill owners/operators prepare a closure/postclosure plan and accumulate funds for the future closure. A fee is not being established at this time.

City Council expressed concern over another state mandated cost which will ultimately be passed on to the public.

Councilmember Martin questioned the circumstances if the state were challenged, and what would happen if we did not pay these fees.

Councilmember Heggarty suggested they contact Assemblywoman Seastrand before their meeting in March and have her staff contact the Waste Management to see how many other cities own a landfill.

After discussion, a motion was made by Councilmember Martin, seconded by Councilmember Macklin, **to delay action on this item until March, when they meet with Andrea Seastrand and express their concerns.** Also proposed was that amendments be reviewed concerning AB939 to see how many of these concerns have been addressed and to seek other entities that may have similar concerns. Motion was passed by the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen
NOES: None
ABSENT: None

15. 1987 Sewer Revenue Bonds (Item 3B Joint Powers Authority is being considered with Item 15)

Mike Compton discussed the current market conditions and the favorability to the refinancing of the 1987 Sewer Revenue Bonds resulting in a present value savings to the City. The benefits of the Joint Powers Authority were also presented.

Roger Picquet stated that certain resolutions had to be passed in order to establish a Joint Powers Authority; which will commence on January 19, 1993.

It was the consensus of the City Council, that by taking immediate action, the City will be able to take advantage of this bond market.

It was moved by Councilmember Macklin, seconded by Councilmember Heggarty, and passed unanimously to adopt **Resolution No. 93-07, Approving, Authorizing & Directing Execution of Certain Installment Sale Financing Documents, Approving the Form & Authorizing Distribution of a Preliminary Official Statement, An Official Notice of Sale & an Official Bid Form, in Connection with the Offering & Sale of Certificates of Participation Relating Thereto & Authorizing & Directing Certain Actions with Respect Thereto (Sewer Revenue Bonds)** by the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen
NOES: None
ABSENT: None

16. Niblick Bridge Expansion

The staff report was presented by Bob Lata, requesting to award bid for preparation of the Niblick Bridge expansion environmental document. Funds will be advanced with the understanding that these

funds are reimbursable.

It was moved by Councilmember Martin, seconded by Councilmember Macklin, to adopt **Resolution No. 93-08, Approving a Contract for Consultant Services for the Niblick Bridge Expansion Environmental Document** as presented. Motion was passed by the following roll call vote:

AYES: Heggarty, Macklin, Martin, Picanco, and Iversen
NOES: None
ABSENT: None

CITY MANAGER

Mr. Ramirez was ill, however, Mayor Iversen announced the new addition to the Ramirez family; Stephen Joseph.

WRITTEN COMMUNICATION

17. **Resident Request, Wilcox, to gift Tract 1508 Open Space to the Land Conservancy.** (This item was moved to the front of the agenda) John McCarthy, Director of Public Works, commented that no staff report has been prepared; this is written communication received from Mr. Wilcox.

Mr. Wilcox wishes that Phase Three of Tract 1508, be gifted to the Land Conservancy. The area set aside would be similar to Griffith Park or the Golden Gate Park. The land would be non-attainable for motor vehicles or commercial use, but on the other hand, be used for school children to visit and will increase tourist travel.

City Council presented concerns such as liability, legal description, and the maintenance.

Mr. Wilcox said the land will be maintained by the Land Conservancy at no cost to the City. He further stated that organizations collect funds from donations to maintain areas so that they remain in their original state.

It was moved by Councilmember Picanco, seconded by Councilmember Macklin, and passed unanimously, to direct staff to study this item and come back with their recommendation and a staff report at a later date.

18. **SLO County Advice Re: Inflationary Adjustment to Booking Fee Letter** was received and filed.

19. **SLO County Request for Direct Hook-up to Interceptor Sewer Main for the No. County Regional Center Located in Templeton.** Roger Picquet pointed out that under closed session, there were two items that were originally scheduled for tonight, and recommended they be continued. One of these items deal with the Interceptor

Sewer Main, discussing the inner-relationship of the pending litigation with this particular request from the County. This correspondence will be received and filed, but will appear in a couple weeks.

20. Paso Robles Housing Authority Inquiry Regarding Expanded Oak Park Community Center Facility Desire.

Gene Bergman, Executive Director of the Housing Authority, discussed the After School Program and the problems the present site creates due to the number of children attending.

Stu Ross, Community Services Director, stated that the City needs to look at a long term facility and restructuring the north end of the city.

Councilmember Heggarty discussed the possibility of getting a building from Fort Ord, possibly a mobile home, and will report back to Council. He also suggested that HUD be contacted for funds.

LATE COMMUNICATION RECEIVED:

Jim App summarized communication from John Kleinhammer. Mr. Kleinhammer is requesting representatives of the City Council meet with representatives of the legislative body of Templeton Community Services District (TSCD) to discuss his request for connection to the sewer interceptor line for his private residential development. Mr. App suggested Council defer consideration of this matter to a future date.

Roger Picquet reminded Council that Mr. Kleinhammer has had a draft complaint which would name the City and the TSCD as defendants and has asked staff to review the draft. Mr. Picquet proposes that this discussion take place in closed session on January 19, 1993.

COUNCIL BUSINESS

21. Advisory Board Status Report

Councilmembers Heggarty and Picanco met with thirteen applicants for the Planning Commission, and have narrowed it down to five. Those recommended are as follows:

Ron Johnson
Tom Flynn
Pat Crawford
Jim Cutchin
Pacifico Montano

Councilmembers Macklin, Martin, and Iversen expressed their desire to review all applications submitted and vote for three out of the five recommendations on January 19, 1993.

Roger Picquet advised Council that the ultimate decision is a

Council action and must be done openly. This can be done by nominations and voted on individually.

COUNCIL COMMENTS

Steve Martin

He is unclear as to what the Land Conservancy and easement is all about, and wishes for staff to come back with recommendations and not assume that the City will be proceeding with this request.

Walt Macklin

Councilmember commented on his trip to Sacramento regarding the extension of Quail Run.

Chris Iversen

1. Advised Council that there is a program to fund call boxes along the freeway. Due to the high cost of call boxes, an additional fee of \$1.00 would be added to the vehicle registration fees. It was the consensus of the City Council that Mayor Iversen would report back to COG that the City is not interested in pursuing call boxes at this time.

2. Due to vacant buildings, companies have been able to readily move into them which has in turn created new jobs. Now that this is drawing to an end, the City needs to encourage specific development to continue growth.

There being no further business, it was moved by Councilmember Picanco, seconded by Councilmember Macklin, and passed unanimously to adjourn to closed session, Bridge Certificates.

No action was taken in closed session.

THESE MINUTES ARE NOT OFFICIAL NOR A PERMANENT PART OF THE RECORDS UNTIL APPROVED BY THE CITY COUNCIL AT THEIR NEXT REGULAR MEETING.

City Clerk, Richard J. Ramirez