City of El Paso de Robles

"The Pass of the Oaks"

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
DECEMBER 6, 1994

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Presented by Councilmember Picanco

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 Walter Macklin.

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

PUBLIC COMMENTS
None

PRESENTATIONS
None

PUBLIC HEARINGS:

1. Prezone 94008 (Applicant: City of Paso Robles)

Mayor Macklin announced it was the time and place for public hearing Rezone 94008. Bob Lata, Director of Community Development presented for consideration the prezone of approx. 28 acres (existing Paso Robles Hot Springs site) to Parks and Open Space (POS).

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

It was moved by Councilmember Iversen, seconded by Councilmember Heggarty, to **Adopt Resolution 94-152, Granting Negative Declaration Status for Prezone 94008, Introduce & Read by Title Only Ordinance No. _____, Amending the Zoning Map Established by Reference in Section 21.12.020 of Zoning Regulations (Prezone 94008 Paso Robles Hot Springs Annexation).** Motion was passed on the following roll call vote:

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

2. Code Amendment 94006 (Multiple Family Residential Regulations Update)

Mayor Macklin announced it was the time and place for public hearing Code Amendment 94006. Bob Lata presented for consideration updating the zoning code regulations for multiple family residential (R-2, R-3 and R-4) zoning districts. Mr. Lata stated that Planning Commission has not completed its study, therefore staff requests this be continued to January 17, 1994.

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

It was moved by Councilmember Picanco, seconded by Councilmember Heggarty and passed unanimously to **Open and continue the public hearing to January 17, 1995.**

3. Easement Abandonment 94001 (Cutchin) in Parcel 1 of Parcel Map CO 77-319

Mayor Macklin announced it was the time and place for public hearing Easement Abandonment 94001. John McCarthy, Director of Public Works presented for consideration abandoning 40-foot wide strip along the northerly boundary (Larkfield Place), and 25-foot strip (Beechwood Road) at the westerly boundary of Parcel 1 (Cutchin) of Parcel Map CO 77-319 that was dedicated for roadway purposes. Councilmember Iversen stepped down due to a possible conflict.

Mayor Macklin opened the public hearing.

Brian Saemen, son of residents in the area, indicated that by abandoning the strip alluded to above will flood the area if the City no longer maintains this easement, and asks Council to maintain ownership.

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

It was moved by Councilmember Martin, seconded by Mayor Macklin, to **Approve Resolution No. 94-153, Abandoning a Portion of Parcel 1 of Parcel Map CO 77-319 Dedicated for Road Purposes.** Motion passed by the following roll call vote:

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

4. Easement Abandonment 94022 (Grantham) in Parcel 3 of Parcel Map 91-88

Mayor Macklin announced it was the time and place for public hearing Easement Abandonment 94022. John McCarthy presented for consideration vacating a public utility, sewer and access easement in the northerly 10-feet of Lot 3 of Parcel Map PR 91-088.

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

It was moved by Councilmember Picanco, seconded by Councilmember Heggarty to **Approve Resolution No. 94-154, Vacating Sewer & Access Easement in Parcel 3 of Parcel Map PR 91-088.** Motion passed by the following roll call vote:

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

5. City Initiated Conditional Use Permit 89023 Amendment (Woodland Plaza Associates)
Mayor Macklin announced it was the time and place for public hearing CUP 89023 to consider amending permitted uses for an existing retail center to include all uses permitted by C-1 zoning district. Councilmember Picanco stepped down to a possible conflict and Bob Lata presented the staff report.

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

After discussion, it was moved by Councilmember Martin, seconded by Councilmember Heggarty, to **Approve Resolution No. 94-155, Amending Conditional Use Permit 89023 (Woodland Plaza Associates), Permitting Uses Already Permitted Within the C-1 Zoning District.** Motion passed by the following roll call vote:

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

ADJOURN TO JOINT MEETING OF REDEVELOPMENT AGENCY & CITY COUNCIL

CALL TO ORDER Agencymembers Heggarty, Iversen, Macklin, Martin, and Picanco were present.

6. Redevelopment Implementation Plan
Bob Lata presented the staff report to consider adopting an implementation plan to meet the requirements of California Redevelopment Law, as amended by AB 1290, AB 315 and SB 732.

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

It was moved by Agencymember Martin, seconded by Agencymember Macklin, to **Approve Redevelopment Agency Resolution RA 94-01, Adopting an Implementation Plan.** Motion passed by the following roll call vote:

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

OTHER BUSINESS

ADJOURN TO CITY COUNCIL MEETING

CONSENT CALENDAR
The **Consent Calendar** was approved upon motion by Councilmember Picanco, seconded by Councilmember Heggarty, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with the exception of Items 7, 8, 10, 11, 17, 19, 20 & 22, which were pulled for discussion. Motion passed by the following roll call vote:

AYES: Heggarty, Iversen, Martin (dissenting on Item 18), Picanco, Macklin
NOES: None
ABSENT: None

Those items approved are as follows:

ITEM 9. Adopt Resolution 94-156, Authorizing Removal of 5 Oak Trees As Summarized in Arborist Report Dated November 5, 1994 for Tract 1754. (J. McCarthy, Dir. of Public Works)

ITEM 12. Adopt Resolution 94-171, Awarding Bid for Annual Tree Spray Program to Pestmaster Services of Paso Robles in the Amount of $46,438.00 (J. McCarthy, Dir. of Public Works)

ITEM 13. Adopt Resolution 94-158, Supporting City Application & Approving Amendment to Central Coast Recycling Market Development Zone (J. McCarthy, Dir. of Public Works)

ITEM 14. Adopt Resolution 94-159, Approving Final Map & Accepting & Approving Execution and Recordation of the Subdivision Improvement Agreement for Tract 1508-4 (Bonita Land Company); and Acceptance of the Faithful Performance & Maintenance Securities; Adopt Resolution 94-160, Annexing Tract 1508-4 Into Paso Robles Landscape & Lighting District No. 1 as Subarea No. 27, and Adopt Resolution 94-161, to Quitclaim Properties Adjacent to Borcherdt Well No. 5 (J. McCarthy, Dir. of Public Works)

ITEM 15. Adopt Resolution 94-162, Authorizing Execution & Recordation of Final Map for Parcel Map PR 94-016 (Charles Johnson); Adopt Resolution 94-163, Annexing Parcel Map PR 94-016 into Paso Robles Landscape & Lighting District No. 1 as Subarea No. 25, and Adopt Resolution 94-164, Authorizing Execution & Recordation of Road Maintenance Agreement (J. McCarthy, Dir. of Public Works)

ITEM 16. Authorize Staff to Negotiate a Contract with Moffatt & Nichol Engineers for Preparation of Final Design Plans & Specifications for Niblick Bridge II Project (J. McCarthy, Dir. of Public Works)

ITEM 18. Award Bid for the Purchase of Library/City Hall Furniture (J. App, Asst. City Mgr.)

ITEM 21. Adopt Resolution 94-166, Appropriating Funds from Sewer Operations Fund for Acquisition of Capital Equipment (M. Compton, Dir. of Admin. Svcs.)

ITEM 23. Approve "*Make It Happen!*" Awards Program (B. Partridge, Personnel Analyst)

ITEM 24. Adopt Resolution 94-168, Authorizing the Chief of Police to Execute the U. S. Department of Justice Grant Award and Commence Police Officer Hiring Process (J. Nelson, Police Chief)

Those items pulled for discussion are as follows:

ITEM 7. Approve the Pre-Check Register (M. Compton, Dir. of Admin. Svcs.)
Councilmember Heggarty questioned the fee charged on page WA18. Mike Compton indicated that a generator was purchased for City wells, and this charge was for transportation fees.

It was moved by Councilmember Heggarty, seconded by Councilmember Picanco, and passed unanimously to approve the pre-check register as presented.

ITEM 8. Approve Agreement with Roy Hanley, Attorney at Law, and the City for Code Enforcement Prosecutor (D. Hamp, Fire Chief)

Councilmember Heggarty referred to attorney charges, asking why the wording read "most" charges. Doug Hamp corrected the language to read that this covers "all" pre-trial charges.

It was moved by Councilmember Heggarty, seconded by Councilmember Iversen and passed unanimously to approve the agreement with Roy Hanley.

ITEM 10. Adopt Resolution 94-157, Authorizing City Manager to Execute a Consultants Services Agreement with Fugro West, Inc. for Paso Robles Landfill Water Quality Monitoring Program Improvements (J. McCarthy, Dir. of Public Works)

Councilmember Heggarty questioned if there is any chance of getting reimbursement and if this item may be postponed. John McCarthy stated that it was in our best interest to proceed with this item.

It was moved by Councilmember Heggarty, seconded by Councilmember Iversen, and passed unanimously to adopt the above resolution.

ITEM 11. Approve Lease with Cellular One at the Paso Robles Landfill (J. McCarthy, Dir. of Public Works)

Councilmember Iversen wished clarification as to whether this referred to the old property, Rich Ramirez indicating that this is the existing property. Councilmember Iversen expressed concern about the building being visible from the road.

Stan Wood from Cellular One was present to brief Council regarding the southeast corner where the building will be placed, and indicated that only the tower will be seen from the road.

It was moved by Councilmember Iversen, seconded by Councilmember Heggarty and passed unanimously to approve the lease with Cellular One.

ITEM 17. Approve Plaque Inscription for Library/City Hall (J. App, Asst. City Mgr.)

Councilmember Martin suggested that Betty Cousins be included in the inscription on the plaque as she has played a very important part in the Library. The organization ACORN, Library Board, & Friends of the Library, should also be added. The sitting Council at that time should also be included.
It was moved by Councilmember Martin, seconded by Councilmember Heggarty, and passed unanimously to approve the additional inscriptions on the plaque for the Library.

ITEM 19. Adopt Resolution 94-165, Authorizing Computer Hardware Acquisitions Pursuant to Adopted City Information System Design (J. App, Asst. City Mgr.)

Councilmember Iversen indicated that individual purchases were to be brought back for Council approval. Referrals were made to page 19-5, and 19-6. Jim App explained that the purchase of items are spread over a period of two years and will update Council before each major phase. Rich Ramirez further added that an immediate purchase will be for finance and City Clerk to replace their 286 computers and to move forward with the records system.

It was moved by Councilmember Iversen, seconded by Councilmember Martin, and passed unanimously to approve the resolution with the following amendment: "Provided the City Council through the sub-committee be informed of purchases as well as the progress and implementation of the system, not to exceed $410,000".

Break 8:45 pm

ITEM 20. Receive & File Petition to Change Speed Limit on Creston Road Between Niblick & Scott Streets (J. McCarthy, Dir. of Public Works)

Councilmember Iversen suggested this item be continued to January 17, 1995.

Dick Schaeffer, 1760 Creston, has complained since 1992 to have speed limit lowered. People travel from 45 to 60 mph creating noise from traffic and "boomer" radios and suggests speed limit be lowered to 30 mph.

Kenneth Webb, 1630 Creston Road, supports Mr. Schaeffer's statement and requests an officer observe the area from 3:00 pm on during the week.

It was moved by Councilmember Martin, seconded by Councilmember Picanco, and passed unanimously **to continue this item to January 17, 1995 and for staff to come back with recommendations.**

John McCarthy stated that changing the speed will not change people speeding, we need to have more law enforcement.

ITEM 22. Adopt Resolution 94-167, Adopting the California State Regulation Known as the "Standardized Emergency Management System" (D. Hamp, Fire Chief)

Councilmember Heggarty asked if there was any expense since it was a mandate from Sacramento. After learning there was not, it was moved by Councilmember Heggarty, seconded by Councilmember Martin, and passed unanimously to **adopt the above resolution** as presented.

DISCUSSION ITEMS

25. Regional Transit District Feasibility & Formula Study

Mike Compton, Director of Administrative Services, presented the staff report to consider findings and recommendations as identified in final report. He requests Council direction on transit issues so that staff may carry forth policy issues.

No action was taken, discussion item only.

26. Planned Development 93010 Request to Defer Restroom Facility Requirement (Estrella Warbird Museum)

John McCarthy presented the staff report to consider request by the Estrella Warbird Museum to defer construction of restroom facilities and utilize portable restrooms for Phase I development. Estrella would have to put in a sewer line for these facilities.

Glen Thompson, CEO of Estrella Warbird Museum, stated that sprinklers are required in a building over 5,000 square feet which is a greater concern that the restroom facilities.

It was moved by Councilmember Iversen, seconded by Councilmember Heggarty, to **allow 24 months to complete phase I & II or lease will be terminated. Temporary restrooms may be used in the interim.** Motion passed on a 3/2 vote, Martin & Picanco voting no.

27. Draft Policy on Speed Humps - Rambouillet Road

John McCarthy presented the staff report to consider policy for speed humps and installation on a test section of Rambouillet Road. Four humps are recommended to be placed in a test area on a trial basis. Mr. McCarthy cautioned Council to proceed slowly.

Ken Childress, Rambouillet resident, commented that the speeding problem extends the length of Rambouillet but agrees the test area is a good start.

Pat Connally, resident of Sunrise Court and Civil Engineer at Caltrans, suggested Council consider other options as speed humps are not effective, the humps may damage school buses due to their suspension, humps increase noise, and increase City liability. He indicated that police enforcement was the best alternative.

It was moved by Councilmember Iversen, seconded by Councilmember Heggarty, and passed unanimously, **to proceed with trial speed humps and to postpone implementation of policy.**

28. Street Tree Installation and Replacement Policy

Bob Lata and John McCarthy presented the staff report to consider policy regarding the installation and replacement of street trees.

It was moved by Councilmember Heggarty, seconded by Councilmember Picanco and passed unanimously to **Approve policy for placement of street trees and direct staff to present a budget proposal for annual street tree installation & replacement program as part of Fiscal Year 1995-96 budge**

29. Economic Strategy - Revised Job Creation Incentives

Diane Sheeley, Economic Development Manager, presented for consideration, an agreement with Paso Robles Opportunities in Business and Education (PROBE) to administer a City-funded program to expand long-term job opportunities. Steve Martin stepped down due to a possible conflict.

Councilmember Picanco indicated that minimum wage should not be subsidized and suggested that the wage group be $6 to $8/hr. An employee must be maintained for a minimum 100-day period.

It was moved by Councilmember Heggarty, seconded by Councilmember Iversen, and passed unanimously to **Adopt Resolution 94-170, Amending Resolution 94-121 & Authorize Execution of the "Grant Agreement" Between the City and PROBE with the amendment of wage group changing to $6 to $8/hr.**

CITY MANAGER

30. Library/City Hall Project

Jim App summarized change order requests for the Library/City Hall project.

a. Traffic sign posts-convert posts to match decor.
Passed on a 4/1 vote, Picanco voting no.

b. Pavers for the corner sidewalk areas of 10th & Park and 11th & Park.
Passed unanimously.

c. Lanterns to be painted black to match posts.
Rejected on a 5/0 vote. Lanterns to remain silver.

WRITTEN COMMUNICATIONS

None

ADVISORY BODY COMMUNICATION

31. Planning Commission
Interview schedules for the Airport and Planning Commission will be January 12, 1995.

32. Neo-Traditional Planning Efforts
Consider approval of consultant contract to prepare Neo-Traditional Code Amendment package. This has be calendared for January 17, 1995.

33. Minutes for Parks & Recreation Advisory Committee Meeting of November 9, 1994.
Receive and file.

34. Minutes for Airport Advisory Committee Meeting of November 14, 1994.
Receive and file.

AD HOC COUNCIL BUSINESS

35. League of California Cities - Legislative Delegate Program
Walt Macklin and Jim Heggarty were designated as City Legislative Delegates for January 18, 1995.

There being no further business, the meeting was adjourned at 11:15 pm.

CLOSED SESSION

Pursuant to: Government Code Section 54954.5(b) - Property Acquisition

1. Property - Southern Pacific
   Negotiating Parties: Southern Pacific Railroad
   City of Paso Robles
   Under Negotiation: Price

No action taken

2. Property - City of Paso Robles, 2990 Union Road, Paso Robles, CA
   Negotiating Parties: Robert M. Weinstein
   City Manager
   Under Negotiation: Price

No action taken

Pursuant to: Government Code Section 54957 - Personnel Meet & Confer

1. Agency Negotiator: City Manager Office
   Employee Organization: SEIU & POA

No action taken

Respectfully submitted,

Candy Ascolle, Deputy City Clerk