

CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

MINUTES OF THE REGULAR MEETING

PASO ROBLES CITY COUNCIL

SEPTEMBER 5, 1995

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

Victor Shafer, 1760 Creston Road, updated Council on past events relative to speeding on Creston Road. He has two videos of the traffic problem and distributed a history of the traffic situation as part of the record (attachment A), stating he will continue to appear before Council as long as the problem exists.

Pat Mackie, Union Road, is frustrated as he has missed meetings due to lack of posting County and City agendas. He suggested the appointment of Councilmember Heggarty to act as the Chief person to check that all information is available to the public.

PRESENTATIONS & CELEBRATING COMMUNITY

1. Welcome to Foreign Exchange Students

A welcome to foreign exchange students from China. Greg Williams of Paso Robles High School gave a brief summary of the American students visit to China and the welcoming of eleven (11) Chinese students and their chaperones. Mayor Macklin at this time presented each student and chaperone with a certificate.

Change in Agenda:

It was moved by Councilmember Picanco, seconded by Councilmember Martin, and passed unanimously to move items 16 and 17 to the Consent Calendar.

PUBLIC HEARINGS

2. Withdrawal of Conditional Use Permit 87013 Appeal – Lee Swanson

Mayor Macklin announced it was the time and place for public hearing CUP 87013, applicant’s request for withdrawal of Conditional Use Permit appeal which has ben the subject of a continued Public Hearing.

Mayor Macklin opened the public hearing.

Lee Swanson requests his appeal fee be donated to the City’s Library Fund.

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

It was moved by Councilmember Picanco, seconded by Councilmember Heggarty, and passed unanimously to receive & file applicant’s appeal withdrawal request, and not direct the appeal fees to the Library Fund.

3. Ramada Drive Equipment Rental & Sales Business General Plan Amendment 95001 (A & B) & Appeal of Conditional Use Permit 95013 – Easter Rents/Vanriijn

Mayor Macklin announced it was the time and place for continued Public Hearing on CUP 95013 to consider modified land use designation for 4 parcels and accompanying request to allow operation of outdoor equipment rental yard business on a portion thereof. The site consists of approximately 12 acres on the east side of Ramada Drive, between Highway 46 West interchange and Vendels Circle. Meg Williamson, Principal Planner, presented the staff report.

Mayor Macklin opened the public hearing.

Monte Baker from Easter Rents was available for questions. Vince LaVorgna indicated that one parcel should not just be considered, but adjacent parcels. If his business is subject to street improvements, he cannot understand why Easter Rents would not also be subject to these improvements.

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

It was moved by Councilmember Martin, seconded by Councilmember Picanco to Adopt Resolutions:

- 1) 95-113, Granting Negative Declaration for General Plan 95001A; &
- 2) 95-114, Approving Amendment 95001A to the Land Use & Circulation Elements of the General Plan; &
- 3) 95-115, Denying Amendment 95001B to the Land Use & circulation Element of the General Plan.

Motion passed by the following roll call vote:

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

It was moved by Councilmember Martin, seconded by Councilmember Picanco, to adopt Resolution No. 95-116, To Approve Conditional Use Permit 95013, adding the height limit to be 20' and the word “signs” to be added to the verbiage. Motion passed by the following roll call vote:

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

4. Nuisance Abatement - 810 Olive Street

Mayor Macklin announced it was the time and place for public hearing, Nuisance Abatement, to consider declaration of public nuisance for property and structures located at 810 Olive Street. Rich Ramirez, City Manager, indicated that due to insufficient noticing, this item should be tabled to a future meeting.

It was moved by Council Picanco, seconded by Councilmember Martin, and passed unanimously to **table this discussion to a future date for the reasons alluded to above.**

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Councilmember Martin, seconded by Councilmember Iversen, 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, 9, & 10, which were pulled for discussion. Motion passed by the following roll call vote:

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

Those items approved are as follows:

- ITEM 6. Approve the Check Register (M. Compton, Dir. Amn. Svc.).
- ITEM 7. Declare Certain Property Surplus and Authorize its Sale via Public Auction or to Other Public Agencies (M. Compton, Dir. Admn. Svc.).
- ITEM 8. Approve Second Reading & Adopt Ordinance No 693, N.S. to Adopt Fiscal Year 1995-96 Budget for the Redevelopment Agency of the City of El Paso de Robles (D. Sheeley, Econ.Dev.Mgr.).
- ITEM 11. Introduce & Read by Title Only Ordinance Amending Section 2.65.010 of the El Paso de Robles Municipal Code as it Relates to When General Municipal Elections Will be Held (J. App, Asst. City Mgr.).
- ITEM 12. Adopt Resolution No. 117, Approving a Lease Agreement with the County of San Luis Obispo, Department of Social Services for the Property Located at 801 4th Street & Authorize the Mayor to Execute Said Lease Agreement (M. Compton, Dir. Admn. Svc.).
- ITEM 13. Adopt Resolutions Pertaining to Tract 1508-4 (Bonita Land Company), 95-118, Accepting into the City Street System Certain Streets & Roads Constructed Pursuant to Subdivision Improvement Agreement & 95-119, Accepting Certain Improvements & Authorizing the City Engineer to Execute Notices of Completion Therefore, to Partially Release Certain Improvement Securities, & to Authorize the Release of Maintenance Securities 1 Year from Date of Acceptance of Public Improvements (J. McCarthy, Dir. Public Works).

Those items pulled for discussion are as follows:

- ITEM 5. Approve Minutes of the August 15, 1995 City Council Meeting (R.J. Ramirez, City Clerk). Rich Ramirez corrected the minutes on page 5-2, item 3. Minutes shall be corrected to read that Brooke Meek and Debra Byrne "cautions Council not to approve the project and"

It was moved by Councilmember Martin, seconded by Councilmember Picanco and passed unanimously to approve the amended minutes.

ITEM 9. Reappoint Advisory Body Incumbents with Expired Terms and Authorize Staff to Initiate Recruitment to Fill Vacancies of Incumbents who do not Reapply (B. Partridge, Human Res. Mgr.).

Mayor Macklin pulled this item as he feels the recruitment process should remain the same. It was moved by Mayor Macklin, seconded by Councilmember Iversen, and passed unanimously to recruit & fill vacancies as they apply.

ITEM 10. Authorize Expenditure of up to \$12,000 of the Library/City Hall Project Construction Contingency Budget for Acoustical and Related Treatments in the 2nd Floor Lobby (J. App, Asst. City Mgr.).

Councilmember Iversen indicated that carpet would have remedied the noise problem. Jim App, Assistant City Manager, indicated that the noise is coming from downstairs and the modifications should dampen the noise.

It was moved by Councilmember Martin, seconded by Councilmember Picanco, to authorize the above expenditure as presented. Motion passed by the following roll call vote:

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

Break 8:45 pm

DISCUSSION ITEMS

14. Pine Street Saloon Alcoholic Beverage License

Continued consideration of request to expand an existing alcoholic beverage license for the Pine Street Saloon located at 1236 Pine Street.

It was moved by Councilmember Picanco, seconded by Councilmember Heggarty, to approve request & direct staff to forward a letter to A.B.C. stating findings of public convenience and necessity. Motion passed on the following roll call vote:

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

15. Airport Master Ground Lease

Consider an updated master lease document for use as the Airport standard lease agreement.

After discussion, it was moved by Councilmember Martin, seconded by Councilmember Picanco, and passed unanimously to approve the updated lease and authorize its use effective September 1, 1995 and ask Chabin Consultants to look over this lease to see if any provisions should be reconsidered.

CITY MANAGER

WRITTEN COMMUNICATION

(Moved to Consent Calendar)

16. Street Closure Request

Resident Sharon Swank requests closure of Red Cloud Road between Rose Lane & Nickerson on Saturday, September 16, 1995 from 3:00 pm - 9:00 pm.

(Moved to Consent Calendar)

17. Main Street Request

Change Friday Farmer's Market 1) During Daylight Savings - Close 12th St. from Spring to Pine St. 4:30 pm - 8:00 pm, & 2) During Winter - Close 12th Street between Park & Pine St. 3:00 pm - 6:00 pm.

18. Senior Nutrition Program

Martha Nichols request for City to donate monthly facility rental charge of \$369, or \$4,428 per year.

Councilmember Iversen indicated that this item will be discussed at the next Senior Advisory Committee meeting and perhaps we should wait to hear their views. Stu Ross will forward any information back to Council.

It was moved by Councilmember Picanco, seconded by Councilmember Heggarty, and passed unanimously to receive and file.

19. S.L.O. County Board of Supervisors

Request for City Council to adopt a Resolution endorsing an application to the California Department of Aging for designation of S.L.O. County as a planning & service area.

It was moved by Councilmember Martin, seconded by Councilmember Picanco, and passed unanimously to Defer action pending receipt of Senior Citizen Advisory Committee Recommendation.

ADDENDUM:

19a. Request for financial participation - Kent Terry

Request for City financial participation to offset bridge & other development-related fees, as well as a five year waiver of transient occupancy tax obligation, for a proposed recreational vehicle park development.

Kent Terry indicated that he is trying to see if this project, a 42 acre parcel R.V. Park, is financially feasible and is asking for financial participation from the City.

After a lengthy discussion, it was moved by Councilmember Picanco, seconded by Councilmember Heggarty, and passed unanimously to send a letter to Mr. Terry indicating his project may qualify for City financial participation.

ADVISORY BODY COMMUNICATION

20. Parks & Recreation Advisory Committee

It was moved by Councilmember Iversen, seconded by Councilmember Martin, and passed unanimously to receive & file Minutes of the Committee's July 12, 1995 meeting.

21. Housing Authority

It was moved by Councilmember Heggarty, seconded by Councilmember Picanco, and passed unanimously to receive & file Minutes of the Board's August 8, 1995 meeting.

22. Library Board of Trustees

It was moved by Councilmember Iversen, seconded by Councilmember Heggarty, and passed unanimously to receive & file Minutes of the Board's meetings of June 19, 1995 and August 2, 1995.

CLOSED SESSION: Pursuant to Government Code Section 54954.5 (b) ~ Property Acquisition

Property: Approximately 80 Acres East of the Municipal Airport on the North Side of Highway 46 East.
Negotiating Parties: Klintworth Family & City of Paso Robles
Under Negotiation: Terms & Conditions

No action taken

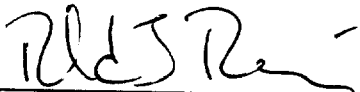
Property: Property for Multi modal Station
Negotiating Parties: Belmont Family & City of Paso Robles
Under negotiation: Terms & Conditions

No action taken

ADJOURNMENT:

There being no further business, the meeting adjourned at 11:00 p.m. to the next regularly scheduled meeting of Tuesday, September 19, 1995, 7:30 pm at the Paso Robles School District Office Board Room located at 800 Niblick Road.

Respectfully submitted,



Richard J. Ramirez, City Clerk

(Minutes approved 09/19/95)

Creston Road Traffic STILL OUT OF CONTROL (As of 8 Aug. 95)

◆ History

- ◆ Aug. 92: Twenty Eight citizens living on or near Creston signed petition requesting city to enforce 35 mph speed limit.
- ◆ RESULTS-Letter was sent to City Counsel w/petition.
- ◆ Sept. 92: Letter from J. McCarthy promising increase police surveillance to bring speeds within posted limit.
- ◆ RESULTS-No observable difference.
- ◆ AUG. 93: Speed limit increased from 35 to 40 mph as result of traffic survey.
- ◆ RESULTS-Noticeable faster speed and traffic noise.
- ◆ December 94: Vic Schafer again advised City Council members of traffic and noise problem on Creston and requested remedial action.
- ◆ RESULTS-Jan 95, letter from Publics Works to City Mgr. City Mgr denied request by Public Works to either increase police protection or consider reduction of speed limit on Creston Rd
- ◆ March 95 and May 95, Vic Shafer complained to City Council regarding traffic speed and resulting danger and unbearable traffic noise in homes on Creston Rd.
- ◆ RESULTS-No Feedback from City Council nor Public Works.
- ◆ July 95-Telecon with F. Zolen, Public Works Director, Sacramento, discussed speeding traffic problem.
- ◆ RESULTS-Traffic speeds are under the jurisdiction of the City of Paso Robles, period.

Creston Road Traffic - Con't.

- ◆ July 1995-Telecon with Mr. Kissenger, Chief California Highway Patrol.
- ◆ RESULTS- They have no control, the speed limit is under jurisdiction of City.
- ◆ Met with Harry Ovitt 21 Aug. 95 and appraised him of the continual problem and lack of support and interest, by city management to solve the problem.
- ◆ RESULTS-He is sending a letter to each council member soliciting support to bring the traffic under control.

◆ Next Action:

- ◆ Take the Problem to the SLO County Grand Jury . . .