



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL JUNE 18, 1996

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

Presented by Councilmember Iversen

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 Library/City Hall Conference Center 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

Mary Chambers, representing "Fix 46 Project", suggested a call box be installed and maintained on Highway 46.

Dale Kirkham from Kirkham Construction asked City Council if they had any questions regarding the letter he sent.

Vince Sullivan, Southwest corner of Vine and 24th Street, is seeking a tolling agreement and waiver of building fees for residential property damaged as a consequence of Highwater 95. It was moved by Councilmember Martin, seconded by Councilmember Picanco, and passed unanimously to add this item to the agenda as Item #17A.

RIMC Code:
Date: June 18, 1996
File Plan/GE Cat:
Subject: Minutes
Location: City Clerk
Retention: Permanent
Other

PRESENTATIONS & CELEBRATIONS

1. Commendations for Aiding the Resumption of Local Passenger Rail Service to Paso Robles

Mayor Macklin presented commendations to Carl Schiermeyer, Ronald DeCarli, and Peter Rodgers. Walter Rice was not present to accept.

2. Proclaim June 17 - 23, 1996 as Airshow Week in the City of El Paso de Robles.

There was a consensus to proclaim June 17-23, 1996 as Airshow Week.

3. Customer Service Report ~ Community Development Department

Bob Lata, Director of Community Development, presented the first in what will be a series of customer service reports the City has undertaken to improve responsiveness to the community.

4. City Library Use

Barbara Partridge, Acting Director of Information Services, presented an oral update of City Library use.

PUBLIC HEARINGS

5. Landscape & Lighting District

Mayor Macklin announced it was the time and place for the scheduled continued/second public hearing concerning the annual levy and collection of assessments for Paso Robles Landscape and Lighting District No. 1 fiscal year 1996/97. John McCarthy, Director of Public Works presented the staff report.

Mayor Macklin opened the public hearing.

Dale Gustin of Paso Robles indicated that he was opposed to adopting the resolutions before Council.

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

It was moved by Councilmember Iversen and seconded by Councilmember Picanco to Approve assessments by taking the following separate actions:

- 1) **Adopt Resolution No. 96-78, Amending and/or Approving the Annual Levy Report for the El Paso de Robles Landscape and Lighting Maintenance Assessment District No.1, Fiscal Year 1996/97; and**
- 2) **Adopt Resolution No. 96-79, Ordering the Levy and Collection of Assessments Within the El Paso de Robles Landscape and Lighting Maintenance Assessment District No.1, Fiscal Year 1996/97.**

Motions passed on the following roll call votes:

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

6. **Tract 2018 ~ Appeal of Planning Commission Decision**

Mayor Macklin announced it was the time and place for the scheduled continued public hearing on Tract 2018. Bob Lata, Director of Community Development, presented for consideration an appeal by Terrence Flatley regarding the Planning Commission's approval of a time extension and changes to conditions of approval for Tract 2018. Tract 2018 is a 27 unit subdivision of an 82 acre parcel within the Borkey Specific Plan area located east of Buena Vista and north of Experimental Station Road.

Mayor Macklin opened the public hearing.

It was moved by Councilmember Iversen, seconded by Councilmember Picanco, and passed unanimously to continue the open public hearing to July 2, 1996 per written request from Terrence Flatley (Exhibit A).

7. **Municipal Code Amendment 96004 ~ Signs**

Mayor Macklin announced it was the time and place for the scheduled public hearing on Code Amendment 96004. Bob Lata presented the Municipal Code Amendment allowing for the re-use of existing pole signs was adopted April 16, 1996. The text of the April 16 amendment unintentionally modified and/or deleted wording within the same Municipal Code Chapter. Amendment 96004 contains corrections to reinstate the original language of the Sign Chapter, along with provisions for the re-use of pole signs.

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

It was moved by Councilmember Martin and seconded by Mayor Macklin to **Introduce, and Read by title Only, Ordinance _____ N.S., Repealing Ordinance 710 N.S. and Amending Chapter 2.19 of the Municipal Code to Correct Sign Chapter Text.** Motion passed by the following roll call vote:

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

8. **Municipal Code Amendment 96002 ~ Airborne Advertising**

Mayor Macklin announced it was the time and place for the scheduled public hearing to consider amendment of the Municipal Code to allow one airborne advertising display per parcel for properties of 2 acre lot size minimum, with a maximum cumulative display duration of 3 months in a calendar year, and subject to issuance of a Temporary Use Permit. Bob Lata presented the staff report.

Mayor Macklin opened the public hearing.

Bob Burgess, General Manager of Paso Robles Ford, spoke in favor the the ordinance.

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

It was moved by Councilmember Martin and seconded by Councilmember Heggarty to **Introduce, and Read by Title Only Ordinance _____ N.S., Amending Chapter 21.19 & 21.23C of the Municipal Code to Allow for Airborne/Inflatable Advertising.** Motion passed by the following roll call vote:

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

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Councilmember Heggarty, seconded by Councilmember Councilmember 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 13 & 14 which were pulled for discussion. Motion passed by the following roll call vote:

AYES: Heggarty, Iversen (dissenting on Item #12), Martin, Picanco, and Macklin
NOES: None
ABSENT: None

Those items approved are as follows:

9. Approve City Council Minutes of June 4, 1996 (R. Ramirez, City Clerk).
10. Approve Pre-Check Register (M. Compton, Dir. Of Admin. Svcs.).
11. Authorize Second Reading and Adopt Ordinance 711 N.S., Amending Section 2.04.030 of Chapter 2.04 of Title 2 of the Municipal Code Relating to Location of Council Meetings (R. Ramirez, City Manager/Clerk).
12. Authorize Second Reading and Adopt Ordinance 712 N.S., Amending Chapter 21 of the Municipal Code Modifying Development Restrictions & Requirements for Wine Tasting Rooms in the R-1 Zone (R. Lata, Dir. of Comm. Dev.).
15. Adopt Resolution No. 96-81, Establishing Parameters for the City's First-Time Homebuyers Assistance Program to be Funded with 1994 & 1995 Community Development Block Grant Funds and Authorizing City Staff to Negotiate and Contract With the Housing Authority of San Luis Obispo to Administer a Portion of This Program (R. Lata, Dir. of Comm. Dev.).

Those items pulled from the Consent Calendar for discussion are as follows:

13. Adopt Resolution No. 96-80, Approving Group Insurance Plan Renewals for Medical, Long Term Disability, & Employee Assistance Programs (J. App, Asst. City Mgr.).

Staff pulled this item due to the late arrival of new information. Councilmember Martin stepped down during the discussion of this item. It was moved by Councilmember Iversen, seconded by Councilmember Heggarty to modify the attached resolution to have the Lifeguard Insurance provision be for a one year period and adopt the above resolution as amended Motion passed on the following roll call vote:

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

14. **Adopt Resolution Changing the Municipal Airport Regulations to Allow Fuel Sales by Non-Fixed Base Operations on the Paso Robles Municipal Airport** (J. McCarthy, Dir. of Public Works).

This item was pulled for discussion. Dale Gustin spoke in favor and John Moore and Van Barbieri spoke in opposition. Vince Sullivan offered input and Nick Ferravanti indicated that the Airport Advisory Committee should review and comment on this issue before taking any action.

It was moved by Councilmember Iversen, seconded by Councilmember Picanco, and passed unanimously to continue this item up to 45 days so that the Airport Advisory Committee may add their input on this issue.

DISCUSSION ITEMS

16. **Woodland Plaza II - Oak Tree Removal Request**

John McCarthy continued the discussion of a request from Halferty Development Company to remove one oak tree during Phase II construction of Woodland Plaza II.

Dale Gustin requested the City place the replacement trees in a useable area.

It was moved by Councilmember Martin and seconded by Councilmember Picanco to Adopt Resolution No. 96-82, Giving Permission to Remove an Oak Tree for Phase II Construction of Woodland Plaza II. Motion passed on the following roll call vote:

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

17. **City Signage Design Theme**

Bob Lata made a presentation of the Urban Design Studio's revised signage design based upon their understanding of the City Council's direction.

It was moved by Councilmember Martin, seconded by Councilmember Iversen, and passed unanimously to Approve Entry Sign Alternative 3 as basis for Urban Design Studio to proceed with Phase II signage design work.

ADDITIONAL ITEM ADDED DURING PUBLIC COMMENTS:

17A. **Building Fees Waiver ~ Sullivan**

Vincent Sullivan requested Council consider a tolling agreement and/or the waiver of the building permit for property located on the corner of Vine and 24th Street.

After discussion, it was moved by Councilmember Iversen and seconded by Councilmember Picanco, the following is approved on condition that the Sullivans do not bring litigation against the City for damages resulting from High Water 1995:

1. The City Manager is authorized to appropriate from Unappropriated Unrestricted Reserves, monies to offset City permit fees, in conjunction with an application for a building permit by the Sulivans for real property located at 2345 Vine Street, Paso Robles, California, resulting from High Water 1995; and
2. Authorize the City Manager to appropriate from the aforementioned reserves, monies to construct curb and gutter improvements that may be required by the Public Works Department in conjunction with the building permit.

The City's obligation to appropriate monies expires on January 1, 1997.

Motion passed on the following vote:

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

CITY MANAGER

WRITTEN COMMUNICATIONS

18. **Smokey's Rib Ranch Requests Public Parking Lot Closure from 6:00 am July 26 - 10:00 am July 27, 1996 for a "Tribute to Buck Owens & Mid-State Fair Pictorial Exhibit."**

It was moved by Councilmember Martin, seconded by Councilmember Iversen, and passed unanimously to approve the above street closure.

ADDITIONAL ITEM:

Southern Pacific:

City Manager, Rich Ramirez received correspondence identifying Frank Ridley as the lead person responsible for the clean up and repair of the Southern Pacific Railroad Station.

ADVISORY BODY COMMUNICATION

19. **Receive and File Senior Advisory Board Committee May 13, 1996 Meeting Minutes**

It was moved by Councilmember Martin, seconded by Mayor Macklin, and passed unanimously to receive and file the minutes of May 13, 1996.

AD HOC COUNCIL BUSINESS

20. **Resolution Supporting and Endorsing the Regional Water Management Mission Statement (W. Macklin).**

It was moved by Councilmember Martin and seconded by Councilmember Heggarty to adopt Resolution No. 96-83 as presented and to send a letter expounding the Council's philosophy not to compromise the City's water rights. Motion passed on a 3/2 vote, Councilmember Iversen and Councilmember Picanco voting no.

21. **Request for Support for "Transportation Partner with the Local Government Commission's Center for Livable Communities" Resolution (W. Macklin).**

It was moved by Councilmember Picanco and seconded by Councilmember Heggarty to receive and file request. Motion passed on a 4/1 vote, Councilmember Iversen voting no.

22. **Appoint Mr. Don Jacobs to the Citizen's Transportation Advisory Committee.**

It was moved by Councilmember Iversen, seconded by Councilmember Picanco, and passed unanimously to appoint Don Jacobs to the Citizen's Transportation Advisory Committee.

CLOSED SESSION:

- a) Pursuant to Government Code §54956.7 ~ Anticipated litigation
Conference with legal Counsel
Significant exposure to litigation (Facts & circumstances not known)
Number of Cases: One

No action taken.

- b) Pursuant to Government Code 54950~ Personnel

No action taken.

ADJOURNMENT: to THE REGULAR CITY COUNCIL MEETING ON TUESDAY, JULY 2, 1996, 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Respectfully submitted,



Richard J. Ramirez, City Manager/Clerk

(Minutes approved July 2, 1996)

EX A



NORTH COAST ENGINEERING, INC.

Civil Engineering • Land Surveying • Project Development

18 JUN 96 ~ Item 6

MEMORANDUM

June 18, 1996

To: Meg Williamson
From: Larry Werner *lw*
Subject: Terry Flatley Appeal

Mr. Flatley's appeal of the Planning Commission's decision is scheduled for hearing before the City Council June 18, 1996. Due to unforeseen circumstances, Mr. Flatley cannot attend the meeting. He would appreciate the opportunity to personally address the Council on this issue and, therefore, respectfully requests a continuance until the meeting of July 2, 1996. Please accept this letter as an official request to continue the hearing.

REW/tas

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