



OFFICE OF THE
CITY CLERK

CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL MAY 19, 1998

CALL TO ORDER

PLEDGE OF ALLEGIANCE

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 Duane Picanco.

ROLL CALL VOTE: Councilmember Chris Iversen
Councilmember Macklin
Councilmember Lee Swanson
Mayor Pro Tem Tom Baron
Mayor Duane Picanco

PUBLIC COMMENTS

Mary Chambers stated that on May 20, 1998, a ribbon cutting ceremony will take place for the first call box on Hwy. 101.

Pat Mackie announced the Candidate's Forum at the Vineyard Elementary School in Templeton on 5/20/98 at 6:00 p.m.

Chuck Miller announced the Air Show is June 7, 1998 and gave a status report on its preparation.

Joe DePetro 532 Creston Road spoke regarding gambling and horse racing at the fairgrounds.

Susan Johnson addressed the Council regarding a new group formed to fight gangs and that they are having a fund raiser concert on July 11, 1998

Ray Meraci 985 Musselman Drive, Atascadero wants to have the satellite gambling approved at the fairgrounds.

PRESENTATIONS & CELEBRATIONS

NOTICED HEARINGS

1. Planned Development 89010 Amendment - Quail Run

Mayor Picanco announced it was the time and place for the public hearing to consider an appeal by Joe Festa regarding the conditions of approval for Planned Development 89010 Amendment located in the Quail Run Mobile Home Subdivision.

Mayor Picanco opened the public hearing.

RIMC Code:
Date: 05/19/98
File Plan/GE Cat.:
Subject: Agenda
Location: City Clerk
Retention: 5 years
Other:

Those speaking in favor of the appeal were: Joe Festa, Cheryl Bayliss, Fred Fisher, Mike Alspach.
Those speaking in opposition of the appeal were: Robert Maxen. Fred Strong, representative for the owners spoke to the Council regarding this issue. Dale Gustin also spoke.

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

It was moved by Councilmember Baron, seconded by Councilmember Swanson, to **Adopt Resolution No. 98-80, to deny an appeal and uphold the Planning Commission's action to approve an amendment to PD 89010, Quail Run.** Motion passed by the following roll call vote:

AYES: Baron, Macklin and Swanson
NOES: Iversen and Picanco
ABSENT: None

2. Rezone 98003 ~ Mesa/Prospect

Mayor Picanco announced it was the time and place for the public hearing to consider a zone change/code amendment to eliminate three conditions on the use and development of properties zoned C-3, PD. The properties are located within the block bounded by Mesa Road, Golden Hill Road, Union Road, and Prospect Avenue.

Mayor Picanco opened the public hearing.

Those from the public speaking on this item were: Paul Viborg, Jack Stinchfield, Bob Blackburn, Dale Gustin, Bill Harris, Jane Hazelseit, Mazie Ackers, Gary Harris, Conrad Langill, Pete Lopez, John Belshire(attorney), Manfred Vanderlip, and Scott Radovich.

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

It was moved by Councilmember Baron, seconded by Councilmember Swanson, to **continue this item and direct staff to schedule a meeting for all those involved to try and work this item out.** Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

3. Code Amendment 98002 ~ Land Use and Development Restrictions

Mayor Picanco announced it was the time and place for the public hearing to consider an amendment to provide a clearer public record of certain land use and development restrictions.

Mayor Picanco opened the public hearing. Those persons speaking from the public were: Pat Mackie.

There being no further comments either written or oral, the public hearing was closed. It was moved by Councilmember Macklin, seconded by Councilmember Swanson, to **Introduce 1st reading of ordinance amending conditions imposed on the use and development of certain properties and set June 2, 1998 for second reading.** Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

4. Street Abandonment ~ Ronan Road (Cuesta College)

Mayor Picanco announced it was the time and place for the public hearing to consider abandoning an 84 foot wide arterial roadway on Ronan Road within the North County Campus of Cuesta College.

Mayor Picanco 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 Swanson, to Adopt Resolution No. 98-81, abandoning a portion of Ronan Road within Cuesta College property. Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

5. Code Amendment 98001 ~ Residential Setbacks

Mayor Picanco announced it was the time and place for the public hearing to consider amending regulations for setbacks and usable yard area for residential buildings.

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

It was moved by Councilmember Swanson, seconded by Councilmember Macklin to Adopt Resolution No. 98-82, approving a negative declaration for code amendment 98001, usable yards and setbacks for residential development and introduce the 1st reading of ordinance. Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

CONSENT CALENDAR

The Consent Calendar was approved upon motion by Councilmember Swanson, seconded by Councilmember Macklin, together with the recommendations and findings as set forth therein, waiving the reading of resolutions and ordinances in full, with the exception of Items 8, 10, and 18, which were pulled for discussion. Motion passed by the following roll call vote:

AYES: Baron (Abstained Item 17), Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

Those items approved are as follows:

6. **Approve City Council Minutes of April 21, 1998** (Madelyn Paasch, City Clerk)
7. **Approve Warrant Register** (M. Compton, Dir. Of Admin. Svcs.)
9. **Grant permission to the Oak Park Recreation Program Junior Leadership & Oak Park Dancers to use the vacant lot at Pine & 21st Street to park cars during the 1998 Mid State Fair** (J. McCarthy, Dir. Of Public Works)
11. **Adopt Resolution No. 98-85, accepting offers of dedication along Golden Hill Road for public road purposes** (J. McCarthy, Dir. Of Public Works)
12. **Adopt Resolution No. 98-86, accepting an offer of dedication along Golden Hill Road for public road purposes (Weyrick)** (J. McCarthy, Dir. Of Public Works)
13. **Adopt Resolution No. 98-87, accepting an offer of dedication along Golden Hill Road for public road**

purposes (Schultz) (J. McCarthy, Dir. Of Public Works)

14. Adopt Resolution No. 98-88, accepting an offer of dedication in the Borkey Specific Plan Area for public park purposes (J. McCarthy, Dir. Of Public Works)
15. Adopt Resolution No. 98-89, accepting an offer of dedication for an easement for sewer purposes (Cuesta College) (J. McCarthy, Dir. Of Public Works)
16. Adopt Resolution No. 98-90, accepting offers of dedication for Buena Vista and re-aligned Ronan Road for public road purposes (J. McCarthy, Dir. Of Public Works)
17. Adopt Resolution No. 98-91, approving the final map for PR 91-091 ~ Eugene Sollman (J. McCarthy, Dir. Of Public Works)
19. Adopt Resolution No. 98-92, Authorizing a fund to hold library grant money and from which grant money would be spent, and authorize grandparents & books money to be placed in said fund (B. Partridge, Dir. Of Lib/Rec. Svcs.)
20. Adopt Resolution No. 98-93, Endorsing Proposition 220 Concerning Court Consolidation on the June 2, 1998 Ballot (J. App, City Mgr.)

Those items pulled for discussion are as follows

8. Adopt Resolution No. 98-83, Awarding the low bid for the 12" waterline installation on Ronan Drive to J.B. Kies Construction (J. McCarthy, Dir. Of Public Works)

Pat Mackie requested this item be pulled for discussion.

It was moved by Councilmember Macklin, seconded by Councilmember Swanson, to adopt this item as presented. Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

10. Adopt Resolution No. 98-84, authorizing usage of a septic system on Parcel 1, PD 96-010 (Tom Schultz) (J. McCarthy, Dir. Of Public Works)

Pat Mackie requested this item be pulled for discussion.

It was moved by Councilmember Macklin, seconded by Councilmember Swanson, to adopt said resolution as amended (Adding Section 6). Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson and Picanco
NOES: None
ABSENT: None

18. Adopt Resolution No. 98-_____ , approving final map & subdivision agreement for Tract 2269 (Erskine); and adopt Resolution No. 98-_____ , annexing Tract 2269 as part of subarea 37 to the P.R. Landscape & Lighting District No. 1 (Streets & Highways Code) (J. McCarthy, Dir. Of Public Works)

Continued to June 2nd at the request of the applicant.

PUBLIC DISCUSSION

21. Subdivision Agreement for Tract 1771-1 ~ Time Extension

Consider granting a one-year time extension to the Subdivision Agreement for Tract 1771-1. The tract is located on the north side of Charolais Road, just east of South River Road.

Those persons from the public speaking on this issue were: Sue Corillo, who presented a petition to the City Council to request they deny the request for an extension; Rod Corillo, Tom Rusch, Dale Gustin, Pat Mackie, Nancy ?, Barbara Hansen and Mary Chambers. The applicant, Coker Ellsworth addressed this item.

It was moved by Councilmember Iversen to deny the request for a time extension. Motion failed due to a second.

It was moved by Councilmember Macklin, seconded by Councilmember Baron, to **Adopt Resolution No. 98-94, Granting a one-year time extension for Tract 1771-1.** Motion passed by the following roll call vote:

AYES: Baron, Macklin, Swanson and Picanco
NOES: Iversen
ABSENT: None

22. Closure Request for Germaine/Engine ~ Erskine

Consider request from Tom Erskine to close off Germaine/Engine from public traffic. Applicants tentative tract provides a public road connection between the Golden Hill Road Industrial Park and Wallace Industrial Park.

It was moved by Councilmember Swanson, seconded by Councilmember Iversen, to amend by allowing the temporary closing of the road and passed unanimously by a voice vote of 5/0 to bring this item back at the June 2, 1998 meeting.

23. Transient Occupancy Tax Amendment

Consider amending Chapter 5.06 of the Municipal Code relating to establishing specific record keeping requirements for Transient Occupancy Tax.

It was moved by Councilmember Macklin and seconded by Councilmember Swanson to introduce reading of ordinance amending Chapter 5.06 of the Municipal Code relating to transient occupancy tax and set June 2, 1998 for second reading; and adopt Resolution No. 98-95, identifying the records deemed necessary to determine the amount of transient occupancy tax due the City. Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson, and Picanco
NOES: None
ABSENT: None

24. Ad Hoc Parking Committee Recommendations

Consider parking restrictions in the downtown area.

It was moved by Councilmember Swanson and seconded by Councilmember Macklin to forward the Ad Hoc Committee recommendation to the City's Traffic Safety Committee for evaluation and consideration. Motion passed on the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson, and Picanco
NOES: None
ABSENT: None

25. Airport Restaurant Proposals

Consider authorizing staff to send out a request for proposals for restaurant services at the Paso Robles Airport.

It was moved by Councilmember Macklin, seconded by Councilmember Swanson, and passed unanimously to authorize staff to prepare RFP's for restaurant services at the Paso Robles Airport and bring back a

summary for consideration in July, 1998.

26. San Luis Obispo Council of Government Grants

Consider Urban and Regional project lists for application of grants available through the San Luis Obispo Council of Governments.

Dale Gustin favor of South River Road; George Finnegan wanted to see Experimental Station Road on list. Mary Chambers agreed and thought perhaps regional funds would be available.

It was moved by Councilmember Macklin and seconded by Councilmember Swanson to Adopt Resolution No. 98-96, directing staff to submit project applications for grants. Motion passed by the following roll call vote:

AYES: Baron, Iversen, Macklin, Swanson, and Picanco
NOES: None
ABSENT: None

CITY MANAGER

Jim App stated he had received a written request from Tom Erskine for a Reimbursement Agreement, in regards to his proposed development and the installation of sewer main. It was the consensus of the City Council to direct this back to staff for preparation of findings and to be brought back at a future meeting.

WRITTEN COMMUNICATIONS

ADVISORY BODY COMMUNICATION

27. Receive and File Minutes for the Following Advisory Meetings:

a. Housing Authority Minutes of April 14, 1998

It was moved by Councilmember Macklin, seconded by Councilmember Iversen, and passed unanimously by a voice vote of 5/0, to receive and file.

28. Housing Authority Reappointment

Reappoint incumbents Joe Dutra and Leo Fisher to the Housing Authority Committee commencing March 1, 1998 and expiring February 28, 2002.

It was moved by Councilmember Iversen, seconded by Councilmember Baron and passed unanimously by a voice vote of 5/0 to reappoint incumbents Joe Dutra and Leo Fisher.

AD HOC COUNCIL BUSINESS

29. Mid State Fair Paramutual Betting Proposal (Iversen/Swanson)

Status report from the Ad Hoc Committee.

No Action Taken

It was moved by Councilmember Baron, seconded by Councilmember Macklin to adjourn to Closed Session.

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 §54954.5(b) ~ Property Acquisition**
Property: 260 acres south of Niblick Bridge; adjacent to easterly side of railroad (APN 009-811-001, 002, 003, 004; 009-631-003, 004; 009-301-004)
Negotiating Parties: Anderson
City of Paso Robles
Under Negotiation: Terms and Conditions

No Action Taken

- c) **Pursuant to Government Code §54954.5(b) ~ Property Acquisition**
Property: Commercial property on Pine Street between 6th & 7th St.
Negotiating Parties: Mr. Diamond
City of Paso Robles
Under Negotiation: Terms and Conditions

No Action Taken

Respectfully submitted,


Madelyn Paasch, City Clerk

(Minutes approved July 7, 1998)