

RESOLUTION NO. 02-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
DETERMINING THE INAPPLICABILITY OF SAN LUIS OBISPO COUNTY ZONING
AND BUILDING ORDINANCES TO THE ACQUISITION OF SOUTHWEST
RESERVOIR SITE AND CONSTRUCTION OF SOUTHWEST RESERVOIR
(GOVERNMENT CODE § 53091).

WHEREAS, the City Council of the City of El Paso de Robles (Council) has included funding within the 2001-2002 fiscal year budget for acquisition of a reservoir site and the construction of the Southwest Reservoir for the purposes of water storage and transmission to the City of El Paso de Robles; and

WHEREAS, the Council has retained the services of Boyle Engineering to evaluate locations for the Southwest Reservoir; and

WHEREAS, Boyle Engineering has recommended Site 13, located on the western side of Highway 101 and the Salinas River; and

WHEREAS, the City Council has determined that this is the most appropriate site for the Southwest Reservoir by motion on July 17, 2001; and

WHEREAS, the Reservoir is for the purpose of storing and transmission of water to the City of El Paso de Robles; and

WHEREAS, the acquisition of land for, and the construction of, the Southwest Reservoir, is exempt from San Luis Obispo County building and zoning ordinances pursuant to Government Code Section 53091.

NOW, THEREFORE, the City Council of the City of El Paso de Robles finds as follows, after public hearing:

1. That the above stated facts are true and correct.
2. That the acquisition of land and the construction of the Southwest Reservoir at Site 13, located west of Highway 101 and the Salinas River, is exempt from San Luis Obispo County building and zoning ordinances pursuant to Government Code Section 53091.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles, that it is their determination that the zoning and building ordinances of the County of San Luis Obispo, including but not limited to Title 22 and Title 19 of the County Code, are inapplicable to the proposed purchase of property and the construction of the Southwest Reservoir and transmission lines.

FURTHER, staff is directed to notify the County of San Luis Obispo of this action in accordance with Government Code Section 53091.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 2nd day of April 2002 by the following vote:

AYES: Finigan, Heggarty, Nemeth, Picanco and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk