



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES

ADJOURNED REGULAR MEETING  
Planning Commission Interviews & Appointments

Thursday, February 27, 2014, 7:00 p.m.

MEETING LOCATION: PASO ROBLES CITY HALL LARGE CONFERENCE ROOM  
1000 SPRING STREET, PASO ROBLES (2<sup>ND</sup> FLOOR)

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### CALL TO ORDER

ROLL CALL Councilmembers Steven Martin, John Hamon, Ed Steinbeck, Fred Strong, and Mayor Duane Picanco

PUBLIC COMMENTS - None

### DISCUSSION

1. [Planning Commission Interviews & Appointments](#)

E. Gallagher, Community Development Director

The Planning Commission prepares and recommends City Council consideration of general and specific plans, including formulation of policies for development and land uses. The Commission also performs duties related to the review and approval/denial of development applications.

City Council interviewed 4 candidates. The following candidates were selected to fill 3 vacant positions:

- Douglas Barth
- Bobby Rollins
- John Donaldson

### ADJOURNMENT AT 8:20PM TO:

- REGULAR CITY COUNCIL MEETING - 7:30PM ON TUESDAY, MARCH 4, 2014 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- PASO ROBLES 125<sup>TH</sup> BIRTHDAY CELEBRATION IN THE DOWNTOWN CITY PARK – TUESDAY, MARCH 11, 2014 AT 3:30PM.
- REGULAR PLANNING COMMISSION MEETING - 7:30PM ON TUESDAY, MARCH 11, 2014 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.

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**AMERICANS WITH DISABILITIES ACT** Any individual, who because of a disability needs special assistance to attend or participate in this meeting, may request assistance by contacting the City Clerk's Office (805) 237-3960. Whenever possible, requests should be made four (4) working days in advance of the meeting.

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# CITY OF EL PASO DE ROBLES

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## CITY COUNCIL MINUTES

Tuesday, March 4, 2014 7:30 PM

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL

CONFERENCE CENTER, 1000 SPRING STREET

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### 7:30 PM – CONVENE REGULAR MEETING

**CALL TO ORDER – Downstairs Conference Center**

**PLEDGE OF ALLEGIANCE**

**INVOCATION** Ed Bedrosian

**ROLL CALL** Councilmembers Ed Steinbeck, John Hamon, Steve Martin, Fred Strong, and Mayor Duane Picanco

**STAFF INTRODUCTIONS**

**PUBLIC COMMENTS**

- Julie Dahlen, Director of Library and Recreation Services, spoke about the upcoming 125<sup>th</sup> City Anniversary event.
- Cody Ferguson spoke about water issues.

**AGENDA ITEMS TO BE DEFERRED (IF ANY)**

**PRESENTATIONS**

1. [Honoring Local Olympian Trevor Jacob](#)

Mayor Picanco presented a proclamation and a medal to Mr. Jacobs.

**PUBLIC HEARING**

2. [Municipal Code Amendment – Menacing and Aggressive Animals](#)

E. Gallagher, Community Development Director

For the City Council to consider amending Title 8 of the Paso Robles Municipal Code (Animal Control) to add new Chapter 8.06 - Menacing and Aggressive Animals.

Mayor Picanco opened the public discussion. Speaking from the public was Dr. Eric Anderson from County Animal Control, Gary Duniven, Cody Ferguson and Sheila Healy. There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Martin and seconded by Councilman Steinbeck to introduce for the first reading, Ordinance No. xxx amending Title 8 of the Paso Robles Municipal Code to add new Chapter 8.06 addressing and regulating Menacing and Aggressive Animals. The draft ordinance was amended by City Attorney Iris Yang to add to the definitions of Aggressive Animal and Menacing Animal: *Any animal whose past and/or current observable behavior....* Council set April 4, 2014, as the date for adoption of said ordinance.

Motion passed by the following roll call vote:

AYES: Martin, Steinbeck, Strong, Hamon, Picanco  
NOES:  
ABSTAIN:  
ABSENT:

**3. Interim Well Ordinance**

E. Gallagher, Community Development Director

For the City Council to consider extending the effective period of Interim Ordinance 1000 N.S., which established a moratorium on issuing permits for new private wells or modifying existing private wells to increase groundwater extraction. The extension would be for a period of 22 months and 15 days, pursuant to Government Code section 65858(b), to February 5, 2016.

This action is categorically exempt from environmental review per Section 15061(b)(3) (projects with no possible impact on the environment) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

Mayor Picanco opened the public discussion. Speaking from the public were Cody Ferguson and Trine Marlen. There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Strong and seconded by Councilman Martin to introduce for the first reading Ordinance No. XXX, to extend Interim Ordinance No. 1000 N.S., and set March 18, 2014, as the date for adoption of said ordinance.

Motion passed by the following roll call vote:

AYES: Strong, Martin, Steinbeck, Hamon, Picanco  
NOES:  
ABSTAIN:  
ABSENT:

**4. Miscellaneous 14-001 (Macklin)**

**Remove 1527 Park Street from the City's Historic Resources Inventory**

E. Gallagher, Community Development Director

For the City Council to consider a request by Walter and Claire Macklin, to remove the house located at 1527 Park Street from the City's Historic Resources Inventory.

Mayor Picanco opened the public discussion. Speaking from the public were the project applicant Walt Macklin (Attachment 1: questions submitted to Council), John Kudla, Nick Gilman, Trine Marlen, Gary Duniven, Grace Pucci, Beth Burke, Joe Brenner, and Norma Moye all spoke on this issue. There were no other comments, either written or oral, and the public discussion was closed.

**1<sup>st</sup> Motion**

A motion was made by Councilman Hamon and seconded by Councilman Strong to adopt Resolution 14-026 approving Negative Declaration.

Motion passed by the following roll call vote:

AYES: Hamon, Strong, Martin, Steinbeck, Picanco  
NOES:  
ABSTAIN:  
ABSENT:

**2<sup>nd</sup> Motion**

Adopt Resolution 14-027 to rescind the house located at 1527 Park Street from Historic Landmark designation, thereby removing the property from the City's Historic Resource Inventory, based on destruction of the Historic Landmark, through a catastrophic event that has rendered the structure a hazard to public health, safety, or welfare.

Motion passed by the following roll call vote:

AYES: Hamon, Strong, Martin, Steinbeck, Picanco  
NOES:  
ABSTAIN:  
ABSENT:

## CONSENT CALENDAR

ITEMS ON THE CONSENT CALENDAR ARE CONSIDERED ROUTINE, NOT REQUIRING SEPARATE DISCUSSION. However, if discussion is wanted or if a member of the public wishes to comment on an item, the item may be removed from the Consent Calendar and considered separately. Councilmembers may ask questions of clarification without removing an item from the Calendar. Individual items are approved by the vote that approves the Consent Calendar, unless an item is pulled for separate consideration.

5. [Approve City Council Minutes from February 13 and February 18, 2014](#)  
D. Fansler, City Clerk
6. [Approve Warrant Registers 114518-114622 \(02/14/14\), 114623-114716 \(02/21/14\), and other payroll services.](#)  
J. Throop, Director of Administrative Services
7. [Advisory Body Minutes](#)  
Library Board Minutes (January 9, 2014)
8. [Approve the 2013 General Plan Annual Report, and direct staff to submit it to the Governor's Office of Planning and Research and to the Department of Housing and Community Development.](#)  
E. Gallagher, Community Development Director
9. [Adopt Resolution No. 14-028 declaring certain City property as surplus and authorizing their sale to recyclers, wholesalers or by public auction, bid or sale.](#)  
J. Throop, Administrative Services Director
10. [Receive and file the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2014.](#)  
J. Throop, Administrative Services Director
11. [Read, by title only, and adopt Ordinance 1001 N.S. Amending Title 21 \(Zoning\) Of the Municipal Code to Modify Section 21.19.040.H of the Zoning Ordinance \(Code Amendment 13-001\) to expand the geographic area in which a highway oriented sign could be placed with the approval of a Conditional Use Permit.](#)  
E. Gallagher, Community Development Director

Consent Calendar items 5 through 11 were approved on a single motion by Councilman Strong and seconded by Councilman Steinbeck. Councilman Martin abstained on consent agenda item 6, warrant registers #114563.

Motion passed by the following roll call vote:

AYES: Strong, Steinbeck, Martin, Hamon, Picanco  
NOES:  
ABSTAIN:  
ABSENT:

## DISCUSSION

12. [City Appointment to Chamber of Commerce - Government Relations Council](#)

M. Williamson, Assistant City Manager

For the City Council to appoint a city representative to the newly formed Chamber of Commerce Government Relations Council.

Mayor Picanco opened the public discussion. There were no comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Martin and seconded by Councilman Hamon to appoint Councilman Martin as primary and Councilman Strong as alternate to the Chamber of Commerce Government Relations Council for an indefinite term.

Motion passed by the following voice vote:

AYES: Martin, Hamon, Steinbeck, Strong, Picanco  
NOES:  
ABSTAIN:  
ABSENT:

## COUNCIL BUSINESS

- Councilman Hamon suggested having staff look at water/sewer rate calculation criteria.
- Councilman Martin suggested tasking planning commission with looking at historical sites on a regular basis.

## ADJOURNMENT

Motion by Councilman Martin, seconded by Councilman Strong to adjourn at 9:55PM to:

- HAPPY BIRTHDAY, PASO ROBLES! CELEBRATION – 3:30PM ON TUESDAY, MARCH 11, 2014 IN THE DOWNTOWN CITY PARK.
- REGULAR PLANNING COMMISSION MEETING - 7:30PM ON TUESDAY, MARCH 11, 2014 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- REGULAR CITY COUNCIL MEETING - 7:30PM ON TUESDAY, MARCH 18, 2014 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.

Motion passed by the following Voice vote:

AYES: Martin, Strong, Hamon, Steinbeck, Picanco

NOES:

ABSTAIN:

ABSENT:

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**CITY OF EL PASO DE ROBLES**  
*"The Pass of the Oaks"*



**CITY COUNCIL AGENDA**

Tuesday, March 4, 2014 7:30 PM

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL  
CONFERENCE CENTER, 1000 SPRING STREET

3.

E. Gallagher, Community Development Director

For the City Council to consider extending the effective period of Interim Ordinance 1000 N.S., which established a moratorium on issuing permits for new private wells or modifying existing private wells to increase groundwater extraction. The extension would be for a period of 22 months and 15 days, pursuant to Government Code section 65858(b), to February 5, 2016.

This action is categorically exempt from environmental review per Section 15061(b)(3) (projects with no possible impact on the environment) of the State's Guidelines to Implement the California Environmental Quality Act (CEQA).

**Options:**

- a. Introduce for the first reading Ordinance No. XXX, to extend Interim Ordinance No. 1000 N.S., and set March 18, 2014, as the date for adoption of said ordinance.
- b. Amend, modify, or reject the above-listed action.

**ROLL CALL VOTE**

4. *misc 14-001 MACKLIN*

E. Gallagher, Community Development Director

For the City Council to consider a request by Walter and Claire Macklin, to remove the house located at 1527 Park Street from the City's Historic Resources Inventory.

**Options:**

- a. Uphold the Planning Commission's recommendation, table the item, and take the following actions:

- (1) direct the applicant to provide a report from another engineer of the City's choice, at the cost of the applicant, that: (a) identifies the work necessary to repair all structural damage and to comply with current codes, where required as a condition of making the structural repairs; (b) estimates the costs of making all repairs necessary to make the building structurally safe and compliant with all building and fire codes pertinent to/triggered by the structural repairs;
- (2) using the new structural report, prepare an appraisal report that estimates the values of the property prior to and following the specified repair work; and
- (3) bring back the information to a future City Council hearing for review and subsequent decision.

- b. Find that the information contained in the JK Engineering Report is sufficient and by separate motions:

- 1. Adopt the attached Resolution approving Negative Declaration;
- 2. Adopt the attached Resolution allowing the house located at 1527 Park Street rescinding the designation as a Historic Landmark, thereby removing the property from the City's Historic Resource Inventory, based on destruction of the Historic Landmark, through a catastrophic event that has rendered the structure a hazard to public health, safety, or welfare.

- c. Amend, modify, or reject the above-listed actions.

ROLL CALL VOTE

*\$18,000.00  
to  
\$20,000.00*

*- WORKING  
PLANS FOR  
WHOLE  
BUILDING*

CITY COUNCIL AGENDA for Meeting March 4<sup>th</sup> 2014

ITEM 4 Miscellaneous 14-001 ( MACKLIN )

Would you Mr. Mayor explain for everyone here, exactly what "table the item" means to the owner and anyone concerned.?

Mr Mayor---May I ask some questions regarding Option A.?

Who is the author of Option A ?

Did city council authorize this Option A. in general. ?

Is the content reflecting The City Council's directions. ? Where would I find the specific authority for requesting the property owner to spend the money to gather the additional information?

If yes,---Did this require a special meeting.?

If yes,---Was the meeting scheduled or was it in a Closed Session.? What was the vote. ? Announced.?

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Is the council aware of the costs to me, Option A requires.? Was that a part of the discussion.?  
If it was (discussed) , What was your estimated costs for what is being demanded.?

Does Option A become the basis for section 21.50.130 part E.--The Criteria and Procedure for Issuance of a Certificate of Appropriateness.?

Does the City Council's approval of Option A, then, pass that obligation on to a buyer of the property.?

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May I ask our City Attorney a question?

Does Council's approval of Option A set a new City Policy or is it specific to my application only.?

In other words: Will property owners following my so called "FIRST and PRECEDENT SETTING APPLICATION" to demolish their residences on their property, be automatically required to deal with Option A.?

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Is City Council using 21.50.140 part B.-- six month continuance plus another 6 month (if necessary), providing time to investigate alternatives to demolition.

If YES--

Exactly what will Council be investigating?

Who is paying for the investigators.?

Thankyou for the opportunity to ask questions ---Walter J Macklin 