



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, August 19, 2014



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

PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK

PLEASE REFRAIN FROM CELL PHONE USE DURING THE MEETING - PLEASE TURN RINGER OFF

7:30 PM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Center

PLEDGE OF ALLEGIANCE

INVOCATION – Pat Sheean

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

STAFF INTRODUCTIONS

PUBLIC COMMENTS

This is the time the public may address the Council on items other than those scheduled on the agenda.

- Nancy Major from the Library spoke about the Summer Reading Program.
- Dale Gustin spoke about Main Street events.
- Jan Dallons spoke about use of Tennis Courts by Pickleball players.

AGENDA ITEMS TO BE DEFERRED - None

PRESENTATIONS - None

PUBLIC HEARING - None

CONSENT CALENDAR

Items on the Consent Calendar are considered routine, not requiring separate discussion.

1. **Approve City Council Minutes from August 5, 2014**
D. Fansler, City Clerk
2. **Approve Warrant Registers 2015-2104 (08/01/2014), 2105–2231 (08/08/2014) and other payroll services**
J. Throop, Director of Administrative Services
3. **Advisory Body Minutes**
Parks and Recreation Advisory Committee (July 14, 2014)
Tourism Collaboration Committee (July 8, 2014)
4. **Adopt Resolution No. 14-118 approving the appropriation of \$45,381 from the Water and Sewer Fund (50% each) for the purchase of the mCARE software and related hardware equipment.**
J. Throop, Director of Administrative Services
5. **Authorize a contract renewal enabling Senior Volunteer Services to continue to provide Senior Center staffing and programming from September 2014 through June 2016 at a cost of \$3,200.00 per month**
J. Dahlen, Director of Library and Recreation Services

Consent Calendar items 1 through 5 were approved on a single motion by Councilman Strong and seconded by Councilman Martin.

Motion passed by the following roll call vote:

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

DISCUSSION

6. Appeal of Conditional Well Permit Decision, Eberle

D. Monn, Director of Public Works

That the City Council consider an appeal filed by Filipponi & Thompson Drilling, Inc., on behalf of the Eberle Winery, regarding the City's decision to apply conditions of approval under City Ordinance No. 1002 N.S. on a well permit application pertaining to 3830 Highway 46 East (Assessor Parcel No. 025-436-039).

Mayor Picanco opened the public discussion. Speaking from the public was Doug Filipponi, who submitted a copy of a letter from the SLO County Health Department regarding subject (attached hereto). 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 deny the appeal requested by Filipponi & Thompson Drilling, Inc. on behalf of Gary Eberle and/or Eberle Winery and, in accordance with City Ordinance No. 1002 N.S., deny the well permit as proposed by the applicant for the Eberle property located at 3830 Highway 46 East.

Motion passed by the following roll call vote:

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

7. Miscellaneous 14-002 – City Council Interpretation (Applicant: Sherry Merino)

E. Gallagher, Director of Community Development

Request by Sherry Merino for the City Council to review Section 5.16.010 of the Municipal Code related to Fortunetelling, and provide direction on whether the Council is interested in considering making a determination regarding fortune tellers to be similar to other office uses such as counseling, and/or personal services such as barber shops and beauty salons, and permit them in the same zoning districts as those uses.

Mayor Picanco opened the public discussion. Speaking from the public was Sherry Merino and Mary Uebersax. 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 direct staff to prepare ordinances amending the Zoning and Business License Codes, including the Uptown/Town Centre Specific Plan, with regard to psychics and related services. The Zoning Code would provide that, subject to approval of a conditional use permit, such businesses could be located in mixed use and most commercial zones, but not in the TC-1 and Regional Commercial zones or in any other zone. The Business License Code would be amended to change the license fee to an appropriate annual fee (to be suggested by the Administrative Services Director) and to update the penalties for violation to be more appropriate.

Motion passed by the following VOICE vote:

AYES: Strong, Martin, Steinbeck, Hamon, Picanco

8. Landscape and Lighting Balloting Services

D. Monn, Director of Public Works

For City Council to consider balloting all parcels for assessment adjustments and a contract with Willdan Financial Services for Landscape and Lighting balloting related services.

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

1st Motion

A motion was made by Councilman Strong to Defer balloting for one year and reconsider in Fiscal Year 2015/2016. Motion died for lack of a second.

2nd Motion

A motion was made by Councilman Hamon, seconded by Councilman Steinbeck to adopt Resolution No. 14-119 allocating \$76,875.00 from District funds for balloting services and authorize the City Manager to enter into a contract with Willdan Financial Services for \$68,875.00.

Motion passed by the following roll call vote:

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

9. Union Road Wall Surface

D. Monn, Director of Public Works

For City Council to select the texture pattern for the surface of a retaining wall to be constructed at the Union Road project (Kleck to Montebello Oaks).

Mayor Picanco opened the public discussion. Speaking from the public was Pat Sheean. 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 Hamon to select the Klamath Dry Stack option.

Motion passed by the following roll call vote:

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

10. General Obligation Bond Tax Rate – Fiscal Year 2015

M. Compton, City Treasurer

For the City Council to set the ad valorem tax rate for general obligation bond debt service for fiscal year 2015.

Mayor Picanco opened the public discussion. Speaking from the public was Dale Gustin. 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 adopt resolution 14-120 setting an ad valorem tax rate beginning July 1, 2014 to pay debt service on the general obligation bonds.

Motion passed by the following roll call vote:

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

11. Annual Review of Investment Policy

M. Compton, City Treasurer

For the City Council to undertake its' annual review of the City's Investment Policy.

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 Steinbeck, seconded by Councilman Strong to authorize the undertaking of the annual review of the City's Investment Policy, and approve the recommended change.

Motion passed by the following roll call vote:

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

12. Climate Action Plan – Implementation Resources

E. Gallagher, Director of Community Development

For the City Council to consider the use of resources available at no expense to the City to develop a tracking program on implementation of the City's adopted Climate Action Plan.

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

Motion by Councilman Martin and seconded by Councilman Strong to support the use of resources identified to assist in implementation of the City's Climate Action Plan.

Motion passed by the following voice vote:

AYES: Martin, Strong, Steinbeck, Hamon, Picanco

COUNCIL BUSINESS – None

CLOSED SESSION – None

A motion was made by Councilman Strong and seconded by Councilman Martin to adjourn regular meeting.

Motion passed by the following VOICE vote:

AYES: Strong, Martin, Steinbeck, Hamon, Picanco

ADJOURNMENT AT 9:10PM TO:

- PLANNING COMMISSION REGULAR MEETING - 7:30PM ON TUESDAY, AUGUST 26, 2014 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES
- REGULAR CITY COUNCIL MEETING – 7:30PM ON TUESDAY, SEPTEMBER 2, 2014 IN THE LIBRARY/CITY HALL CONFERENCE ROOM, 1000 SPRING STREET

Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the City Council after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the City Clerk's Office, 1000 Spring Street, Paso Robles, CA, during normal business hours, and may be posted on the City's web site at <http://www.prcity.com/government/citycouncil/agendas.asp>.

All persons desiring to speak on an agenda item are asked to fill out Speaker Information Cards and place them at the Staff Table prior to public discussion of that item. Each individual speaker will be limited to a presentation total of three (3) minutes per item.

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.

THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT PART OF THE RECORDS UNTIL APPROVED BY THE CITY COUNCIL AT A FUTURE REGULAR MEETING.



COUNTY OF SAN LUIS OBISPO HEALTH AGENCY

Public Health Department

Jeff Hamm
Health Agency Director

Penny Borenstein, M.D., M.P.H.
Health Officer



Public Health
Prevent. Promote. Protect.

August 6, 2014

Filipponi & Thompson Drilling, Inc.
P.O. Box 845
Atascadero, CA 93423
Attn: Ned Thompson

Subject: Proposed Eberle Well/APN 025-436-039/Well Permit Application 2013-269

Dear Mr. Thompson:

This letter is to clarify that the proposed irrigation well for the above referenced property is, in fact, located within the city limits of Paso Robles. This clarification corrects the submitted county well permit application which indicated the property was located outside the city boundary.

For your information, it is not uncommon for inadvertent mistakes to show up on the well permit applications as the document asks for a substantial amount of information. And although our administrative staff is quite meticulous in reviewing the submitted applications, they do from time-to-time miss an error on the application, as was the case here.

Further, since the City of Paso Robles has been involved with the approval of the well permit application from the beginning, we are confident the review process has not been circumvented.

From the county's standpoint, the well permit application for Eberle/APN 025-436-039 continues to be valid based on the original submission date.

Please contact me if you have any questions.

Richard J. Lichtenfels, REHS, MPH
Supervising Environmental Health Specialist

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Item 6 Atch 1