

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
APRIL 16, 1985

The City Council of the City of El Paso de Robles, meeting in regular session on the above date, was called to order by Mayor Gary Stemper at 7:30 P.M. in the City Council Chambers with the following Councilpersons answering roll call: Cousins, Ovitt, Russell, Thorndyke and Stemper; none being absent.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adjourn to the Parks and Recreation Building for the public hearing scheduled at 8:00 p.m. regarding proposed bridge fees.

1. The Mayor called the meeting back to order in the Activity Center at the Parks and Recreation Building at 7:35 p.m., and a brief invocation was given by Reverend Frank Knouse.

2. The minutes of the regular meeting of April 2, 1985 were presented and upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, the minutes were approved.

3. The claims were presented, and Councilman Russell questioned Invoice No. 17561 and asked that it be pulled from the Claims Paid. It was then moved by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that the following claims be paid from their respective accounts, with the exception of Invoice No. 17561.

DATE OF CLAIM	TOTAL PAID
April 5, 1985	\$169,962.96

4. Resolution No. 2999, 1985 WEED AND RUBBISH ABATEMENT, is presented for Council's consideration. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 2999 be read by title only. Resolution No. 2999 is read by title only.

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously to adopt Resolution No. 2999, thereby setting a public hearing for 8:00 p.m. on May 7, 1985 for hearing all objections.

5. Resolution No. 3000, A RESOLUTION APPROVING AND ADOPTING GENERAL PLAN AMENDMENT NO. 8 (RIVERGLEN, AT THE NORTHEAST CORNER OF UNION AND NO. RIVER ROADS) AN AMENDMENT TO THE LAND USE ELEMENT. is presented for Council's consideration.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 3000 be read by title only. Resolution No. 3000 is read by title only.

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously to adopt Resolution No. 3000.

An ORDINANCE AMENDING ZONING MAP ESTABLISHED BY REFERENCE IN SECTION 21.12.020 OF THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES (RIVERGLEN, NORTHEAST CORNER OF UNION AND NO. RIVER ROADS) is introduced for first reading.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that said Ordinance be read by title only. The Ordinance is read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that this constitute the first reading of above Ordinance.

6. It is moved by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that the items on the Consent Calendar be approved, together with the recommendations as set forth therein, said motion waiving reading of all resolutions and ordinances in full. Those items on the Consent Calendar are as follows:

G-1 DEPARTMENTAL REPORTS:

a. Fire Department Summary for March 1985  
(Recommend Summary be received and filed.)

G-2 COMMISSION/COMMITTEE/BOARD MINUTES:

a. Airport Advisory Committee meeting for March 28, 1985.  
b. Senior Citizens Advisory meeting for April 8, 1985.  
c. Parks and Recreation Advisory meeting of April 8, 1985.  
(Recommend minutes be received and filed.)

G-3 Memo from Director of Municipal Services presenting Change Order No. 2, & Progress Payment No. 2 for 24th & Glencrest Hydropneumatic Pump Station - State Water Loan. (Recommend Council approve Change Order No. 2 and authorize City Engineer to execute same, subject to state approval; and That the Council authorize the payment of Progress Payment No. 2 to West Coast Tank and Pipe Contractors in the amount of \$30,820.01.)

G-4 Memo from the Director of Municipal Services presenting a subdivision agreement for Tract 988 - Robert Lorange/Oak Meadows Mobile Home Park. (Recommend Council approve the Subdivision Agreement for Tract 988 and authorize the Mayor

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and City Clerk to execute same.)

7. The minutes of the regular meeting of the Planning Commission on April 9, 1985 were reviewed by Councilman Thorndyke. After discussion, it was moved by Councilman Ovitt and seconded by Councilman Thorndyke that the actions of the Planning Commission in its meeting of April 9, 1985, be approved, together with the findings and conditions as set forth therein. Motion passed by the following roll call vote with Councilwoman Cousins abstaining on Item 3. A, Planned Development Amendment 80007 and Use Permit 85008, and Mayor Stemper abstaining on Item 3.A. and Item 4.D, Use Permit 83018.

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: None

8. The Mayor announced that it was the time and place scheduled for a public hearing pursuant to Resolution No. 2998, regarding the proposed bridge fees pursuant to Ordinance No. 498 N.S. and gave a brief history of the solutions proposed for both the bridge location and bridge financing, and explained the present concept of the sale of bridge certificates to generate the necessary "up front" money to start the bridge project. He then opened the hearing to the floor.

The City Manager presented the staff report which outlined the benefit area, amount of the proposed bridge fees for residential, commercial and industrial, described the project and the project costs, and the fee apportionment. There followed a lengthy public discussion by various citizens in the audience.

After all public comment was taken, there was a motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to close the public hearing.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to close the public hearing.

Resolution No. 3004, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES SETTING BRIDGE FEES PURSUANT TO ORDINANCE NO. 498 N.S., is introduced for Council's consideration. Copies of the Resolution were passed out to the audience. This Resolution was summarized by the City Manager. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 3004 be read by title only. Resolution No. 3004 is read by title only.

Motion by Councilman Russell and seconded by Councilman Thorndyke to adopt Resolution No. 3004. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke and Stemper

NOES: None

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ABSENT: None

The Mayor called for a short recess of fifteen minutes, and then called the meeting back to order.

9. Resolution No. 3001, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES, CALIFORNIA AUTHORIZING THE SALE OF CERTIFICATES REPRESENTING THE PREPAYMENT OF DEVELOPER FEES FOR THE PURPOSE OF FINANCING THE CONSTRUCTION OF THE NIBLICK ROAD BRIDGE, is introduced, and copies of the Resolution were passed out to the audience. The Mayor then asked for comments from the audience regarding the resolution.

There followed a lengthy discussion wherein the Council considered input from the audience. Jack Munari stated that he would require at least 10 years to build out his development. Paul Block requested that the Certificates be offered for a six months period of time, and also stated that his company would buy 400 Certificates.

The City Manager then read Resolution No. 3001 in its entirety.

Motion by Councilman Ovitt and seconded by Councilwoman Cousins to adopt Resolution No. 3001 with the following amendments:

Section 2. The time period changed from 5 years to 10 years.

Section 5. That said Certificates shall be offered until the earlier of November 1, 1985 or the consummation of the sale of 3,736 Certificates. Until November 15, 1985, the City reserves the right to reacquire certificates by converting to cash all outstanding certificates at the rate of \$1,044.00.

Section 7. That said Certificates may never be redeemed for cash by the City, but they may be transferred between parties.

Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Thorndyke and Stemper  
NOES: Councilman Russell  
ABSENT: None

Councilman Russell then explained that he had voted "No" due to the extended period of time in Section 2, believing that it might leave the City in a precarious position at some time in the future, but that he wished to change his vote to "Yes" for a unanimous decision.

The City Attorney then stated that the following findings must be made by the Council:

1) That the project is the Niblick Bridge Project connecting Niblick Road with Spring Street at First Street.

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2) That the area of benefit is the entire City limits of Paso Robles including the Municipal Airport and any future annexations.

3) That the Niblick Bridge Project is part of the General Plan included the circulation element of that General Plan;

4) That the cost of the project is estimated to be \$5,486,000;

5) That the proposed fee apportionment is \$2,044 per unit for any new residential construction, \$6,265.00/acre for new industrial and \$8,246/acre for new commercial construction.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adopt the findings as set forth above.

10. A memo from the Director of Municipal Services presented the bid results received for construction of the Niblick Road Bridge East Approach and recommended that the Council award the bid to the low bidder, Madonna Construction Company, in the amount of \$403,793.00, and authorize the Mayor and City Clerk to sign the contract documents.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to approve the above recommendations of the Director.

11. A memo from the Finance Director presented Resolution No. 3002, A RESOLUTION AUTHORIZING THE CITY MAYOR, CITY CLERK, CITY TREASURER AND DEPUTY CITY TREASURER TO SIGN MUNICIPAL WARRANTS AND CHECKS, for Council's consideration.

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 3002 be read by title only. Resolution No. 3002 is read by title only.

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously to adopt Resolution No. 3002.

12. A memo from the Finance Director presented Resolution No. 3003, A RESOLUTION ESTABLISHING BULK WATER UTILITY RATES FOR HYDRANT METERS AND LOAD COUNTS, the new rates to be effective May 1, 1985, for Council's consideration.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Resolution No. 3003 be read by title only. Resolution No. 3003 is read by title only.

Motion by Councilman Russell and seconded by Councilman Ovitt to adopt Resolution No. 3003. Motion carried by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell and Thorndyke

NOES: None  
ABSENT: None  
ABSTAINED: Councilman Stemper

13. A memo from the Director of Municipal Services presented a letter from Reverend Bill Hawk of the Covenant Church/Golden Hill Road requesting a "will serve" letter for City Water. The memo set forth 3 options for the Council's consideration and recommended that authorization be granted to issue a will serve letter based on Option No. 2 "Considering the use of the property, grant the request on the condition that no further use of the property be made, requiring additional City water, other than the church and school.", subject to all appropriate connection fees being paid prior to connection and that fire protection and access roads be provided to the satisfaction of the Fire Chief.

Rev. Bill Hawk appeared to explain the project and answer questions.

Motion by Councilman Ovitt, seconded by Councilwoman Cousins and passed unanimously to accept the recommendations of the Director and request the applicant to furnish a letter to the City indicating that if surrounding property is proposed to be annexed to the City, applicant will agree to such annexation.

14. Upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously the following proclamations were adopted:

PRIVATE PROPERTY WEEK - APRIL 28 - MAY 4, 1985

BUILDING SAFETY WEEK - APRIL 14 - 21, 1985

15. Councilwoman Cousins requested permission to leave the State and permission was granted.

16. There being no further business, it was moved by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to adjourn.

John R. McCarthy, City Clerk

THESE MINUTES ARE NOT OFFICIAL NOR A PERMANENT PART OF THE RECORDS UNTIL APPROVED BY THE CITY COUNCIL AT THEIR NEXT REGULAR MEETING.