

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
MAY 7, 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 Pro Tem Betty Cousins at 7:30 P.M. in the City Council Chambers with the following Councilpersons answering roll call: Cousins, Ovitt, Russell and Thorndyke; Mayor Stemper being absent.

1. The minutes of the adjourned meeting of April 11, 1985 and the regular meeting of April 16, 1985 were presented and upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, the minutes were approved.

2. The claims were presented, and it was moved by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that the following claims be paid from their respective accounts:

DATE OF CLAIM	TOTAL PAID
April 19, 1985	\$329,733.54

3. The Mayor Pro Tem announced that it was the time and place scheduled for a public hearing for Notice of Intention to Record a Notice of Violation on Tract 876 - Warren Reeder, and opened the public hearing to the floor.

Warren Reeder appeared to explain the time schedule for the improvements to be constructed on Tract 876.

Craig Bower, of Bloch and Bower, appeared to explain the construction schedule of Tract 1041 which lies south of Tract 876, stating that they expect to be completed by July 1, 1985. Tract 1041 needs access and utilities through Tract 876.

John Falkenstien, Assistant City Engineer, reported on the status of both Tracts. Mr. Ernie Toole, of N.M.P. Company, the contractor performing the construction of improvements on Tract 876, appeared to give a brief report of the work being done.

A memo from the Director of Municipal Services was presented which advised that the Subdivision Agreement for Tract 876 stated that the improvements were to be completed by October 1, 1984, and that engineering staff has on several occasions brought the matter to the attention of the property owners, however, the improvements remain incomplete at this time.

The City Manager stressed the need to record the Notice of Violation to protect the City against possible litigation in the future and to force the owners of Tract 876 to complete the improvements on the tract in a timely manner. It was pointed out that Tract 1041 is expected to be ready for occupancy by July 1, 1985 and access must be available through Tract 876 by that time.

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

The City Attorney advised that a Notice of Violation should be recorded and recommended that the Council adopt findings that the Violation pertains to the completion of water, sewer, utilities, curbs and gutters, streets and storm drain, on Tract 876.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to accept the recommendations of the Director of Municipal Services and Record said Notice of Violation with the findings that it is on the grounds that the completion of the improvements, water, sewer, curb and gutters, streets, gas line and storm drain have not been completed according to the provisions of said Subdivision Agreement.

4. Ordinance No. 499 N.S., AN ORDINANCE AMENDING ZONING MAP ESTABLISHED BY REFERENCE IN SECTION 21.12.010 OF THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES, (RIVERGLEN, NORTHEAST CORNER OF UNION AND NO. RIVER ROADS), was presented for second reading and adoption.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Ordinance No. 499 N.S. be read by title only. Ordinance No. 499 N.S. is read by title only.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, that this constitute the second reading and adoption of Ordinance No. 499 N.S.

5. The Consent Calendar was presented and Councilman Russell requested that Items G-8 and G-9 be withdrawn for discussion. It was then moved by Councilman Russell, seconded by Councilman Thorndyke 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 Memo from the Director of Municipal Services presenting Change Order No. 3 & Progress Payment No. 3 for 24th & Glencrest Hydropneumatic Pump Station - State Water Loan - (Recommend Council approve Change Order No. 3 and authorize the City Engineer to execute same, subject to state approval; and that the Council authorize the payment of Progress Payment No. 3 to West Coast Tank & Pipe Contractors in the amount of \$16,141.88.)

G-2 Memo from Director of Municipal Services presenting Final Parcel Map PR 84-253/Burr Webber. (Recommend that Final Parcel Map PR 84-253 be approved and that the City Council authorize the City Clerk to sign said map.)

G-3 DEPARTMENTAL REPORTS:

- a. Finance Dept report of utility terminations.
- b. Police Dept Activity Report for March 1985.
- c. Municipal Services Monthly Report for March 1985.

(Recommend reports be received and filed.)

G-4 Notice by PG&E of filing application for adopting rate mechanism to offset earnings attrition. (Recommend notice be received and filed.)

G-5 Memo from the Finance Director recommending transfer of \$3,549.00 from Council's Contingency Fund to Engineering Dept for costs associated with temporary, part-time Public Works Inspector. (Recommend Council approve said transfer.)

G-6 Memo from Finance Director presenting renewal contract from North County Janitorial. (Recommend Council authorize the Mayor to sign this contract.)

G-7 Notice from PG&E of filing application to increase electric rates. (Recommend notice be received and filed.)

G-10 Memo from Director of Municipal Services presenting Final Parcel Map PR-84 239/Ralph Brink - Tanner Drive. (Recommend map be approved and Council authorize the City Clerk to sign said map.)

G-11 COMMITTEE/COMMISSION/BOARD MINUTES:

a. Traffic Safety Commission Minutes for April 17, 1985. (Recommend minutes be received and filed.)

G-12 Letter from Daniel J. Stewart & Associates requesting Council to allow their client, Wilpete Farms/Tract 1133, to acquire additional, unused property contiguous to Tract 1133. (Recommend item be referred to the Planning and Engineering Departments for recommendation to the Planning Commission.)

G-13 Letter from San Luis Obispo County Grand Jury recommending to at least double the size of the County Narcotics Task Force. (Recommend matter be held over for budget consideration.)

6. Item G-8 Memo from Director of Municipal Services presenting request for "Will Serve" letter for water by Catherine Needham - Union Road (Recommend approval in keeping with adopted policy.), is presented for discussion. Councilman Russell requests that Condition 4. of the will serve letter be amended to read as follows: "4. Applicant will submit a letter requesting annexation to the City at such time any adjacent property requests annexation."

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Item G-8 be approved with Item 4 amended as set forth above.

7. Item G-9, Letter regarding negotiation by League & PG&E for allocation plan for replacement of existing overhead with underground electric facilities. (Recommend letter be received and referred to Engineering & Planning staff.), is presented for discussion. Councilman

Russell requested staff to review and report back to Council as to how P.G.&E. makes its allocations to the various Cities.

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously to approve the recommendation for Item G-9.

8. The Mayor Pro Tem announced that it was the time and place scheduled for public hearing pursuant to Resolution No. 2999, 1985 Weed and Rubbish Abatement and opened the hearing to the floor. The Fire Chief explained the procedure involved for the program and answered questions from the audience.

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

There being no further comments, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to approve the list of assessed property owners as shown in Exhibit A of Resolution No. 2999, allow the City to abate the hazards thereon and place a lien against said property.

9. The minutes of the regular meeting of the Planning Commission on April 23, 1985 were reviewed by Planning Director, Ed Gallagher. Item E. Use Permit 85013, Farmers' Market, was pulled from the Minutes to be discussed later in the Agenda.

It was then moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that the actions of the Planning Commission in its meeting of April 23, 1985, be approved, together with the findings and conditions as set forth therein.

10. The minutes of the Airport Advisory Committee meeting of April 25, 1985 were reviewed by the Airport Manager and the City Manager.

After discussion, it was moved by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously that the minutes be approved, and regarding Item 5. to approve the recommendations of the Airport Manager pertaining to Runway 13/31 to reduce the official Runway width to 100 feet from 150 feet.

11. A memo from the City Manager recommended that the Council approve the contract with Becker & Bell for negotiation and consultant services for the coming year in the amount of \$9,900 and authorize the Mayor and City Clerk to sign said contract.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to approve the Manager's recommendations.

12. The City Attorney presented Resolution No. 3008, A RESOLUTION ESTABLISHING AND APPORTIONING BRIDGE DEVELOPMENT FEES AND ESTABLISHING THE AREA OF BENEFIT FOR THE NIBLICK ROAD BRIDGE CROSSING, for Council's consideration.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 3008 be read by title only. Resolution No. 3008 is read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Resolution No. 3008 be adopted.

The City Attorney presented an ORDINANCE ESTABLISHING BRIDGE DEVELOPMENT FEES AND BENEFIT AREA FOR THE NIBLICK BRIDGE CROSSING, PURSUANT TO HEARING OF APRIL 16, 1985, for first reading. The City Manager advised that Item c. in Section 12.19.095 be amended to show the correct total estimated cost of the project to be \$5,486,000.

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 and seconded by Councilman Ovitt that this constitute the first reading of said Ordinance as amended in Item c. Motion passed by the following roll call vote:

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

13. A memo from the Airport Manager recommended that the Council authorize the Mayor and City Clerk to execute the Agreement between Tartaglia/Hughes Engineering and the City to do the engineering for construction of a graded safety area and installation of runway lights on Runway 13/31 and PAPI's on all runways - the City has tentatively been notified that we will be receiving \$673,815.00 in federal funds for AIP 3-06-0184-03 Project at the Municipal Airport.

The Airport Manager presented a letter just received from Tartaglia/Hughes stating that the following terminology contained in Phase One of said Agreement shall also apply to Phase Two and Phase Three:

"The City will not be responsible for payment of services should FAA grant funds not become available. The City will not be responsible for payment if City elects not to match Federal funds to receive the grant. City shall only provide payment for services as allowed under FAA grant fund guidelines."

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to approve the Airport Manager's recommendations and authorize the Mayor and City Clerk to execute said document subject to the above-mentioned letter being entered into the records. The Finance Director was directed to bring a financial report back to the Council meeting of May 21, 1985 showing how the City's grant match will be obtained.

14. A memo from the Finance Director requested authorization to finalize the transfer from Red Star Industrial to Valley Industrial Services for all the Paso Robles City uniform and industrial cleaning services.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to approve the Finance Director's recommendations.

15. A memo from the Finance Director recommended that the City Council approve the extension of the existing contract with the State to purchase water from the CYA School for use at the Airport.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to authorize the extension of the contract for another two years, and direct staff to study the feasibility of developing an Airport water system in the next two years.

16. A memo from the Fire Chief presented Resolution No. 3005, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING AN AGREEMENT BETWEEN CITY OF PASO ROBLES AND COUNTY - WIDE FIRE PROTECTION AGENCIES FOR MUTUAL AID IN FIRE, RESCUE, HAZARDOUS MATERIALS AND OTHER SIMILAR OCCURRENCES, for Council's consideration.

The Fire Chief recommended that the City utilize the emergency resources of all the jurisdictions in the County as a cost effective solution to any major incident or incident that the City may require assistance.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 3005 be read by title only. Resolution No. 3005 is read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to adopt Resolution No. 3005.

17. A memo from the City Librarian announced that the Library will be receiving funds from two different collection development grants from the California State Library, one for \$1,000 and one for \$5,000. A resolution will come back to the Council at their next meeting.

18. A memo from the Director of Municipal Services explained that the City has available to them certain FAU funds for road and street improvements. Three options for projects were proposed:

- 1) Spring Street pavement reconstruction;
- 2) Intersection improvement and signalization of Sherwood and Creston Roads;
- 3) Set back of curb gutters and sidewalks on Spring Street to a four lane schedule.

After discussion, it was moved by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to hold the matter over until the meeting of May 21, 1985.

19. A memo from the Director of Municipal Services recommended that the Council approve the plans and specifications of the DMS Project No. 84-06, 23rd Street Storm Drain, and authorize the project to go to bid.

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

20. A memo from the Planning Director advised that the Planning Commission recommended that the Council revoke Use Permit 84033 granted to Jerry Reneau to operate a car lot on the northwest corner of Spring and 23rd Streets and that a public hearing be set on June 4, 1985 for this matter.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that said public hearing be set for June 4, 1985 at 7:30 p.m.

21. A memo from the Planning Director presented a staff report on Use Permit 85013, Establishment of a Certified Farmers' Market in the City. After a lengthy discussion wherein considerable input from the audience was heard, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that the matter be held over to the meeting of May 21, 1985, that a public hearing be set for 7:30 p.m. on May 21, 1985.

22. Upon motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously, the following proclamations were adopted to be signed by Mayor Stemper: Head Start Month - May 1985; Traffic Safety Week; and Small Business Week.

23. Bruce Woodworth presented a letter to the Council asking that certain questions pertaining to bridge fees be answered. The letter was referred to staff.

24. Permission was given to Councilman Thorndyke to leave the state.

25. Councilman Ovitt brought up the matter of the proposed reorganization of the Municipal Court system in the County and recommended that a letter of protest be sent. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that said letter be sent.

26. There being no further business, it was moved by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to adjourn to May 15, 1985 at 5:30 p.m. in the City Council Chambers for a study session.

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.