

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
OCTOBER 21, 1986

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 Nick Russell with the following Councilmembers answering roll call: Cousins, Stemper, Dolan and Russell; Councilmember Ovitt being absent. Following roll call an invocation was given by Rev. David Parsons.

1. The minutes of the regular meeting of October, 7 1986 and the adjourned meeting of October 8, 1986 were presented and approved upon motion by Councilmember Cousins, seconded by Councilmember Stemper and passed unanimously, with Item 13. of the minutes of October 7 being changed to indicate that Mayor Russell having stepped down, did not vote, rather than abstained; and to include the Mayor's statement that the City had realized a savings of \$8,000 by going out to bid locally for the equipment purchased.

2. The Claims were presented. Motion by Councilmember Cousins and seconded by Councilmember Dolan that the following claims be paid from their appropriate accounts: Councilmember Dolan stated a concern about Check No.s 24343 and 24428 and raised questions regarding Check No. 24496 to San Luis Obispo City in the amount of \$224,511.00 for insurance (The City Manager explained that the City of San Luis Obispo serves as the Treasurer for the Joint Powers Insurance Authority); additional questions were raised about the potential of duplicate entries and Check Nos. 24335 and 24488 were used as examples. The City Manager stated he would look into the system in an attempt to explain the situation. Motion passed by the following roll call vote:

AYES: Cousins, Dolan and Russell
NOES: None
ABSENT: Ovitt
ABSTAINED: Stemper

DATE OF CLAIM	TOTAL PAID
OCT. 10, 1986	\$1,335,772.43

3. The Mayor introduced Sue Baasch, the new Administrative Assistant and welcomed her to the City.

4. The Police Chief introduced Resolution No. 3168, A RESOLUTION DECLARING SUPPORT FOR DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS IN OUR LOCAL SCHOOLS.

Motion by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously that Resolution No. 3168 be read by title only. Resolution No. 3168 was read by title only.

Motion by Councilmember Dolan, seconded by Councilmember Cousins and passed unanimously that Resolution No. 3168 be adopted.

Following roll call vote:
Stemper and Russell
Community Development Director, presented a
proposal for review of General Plan Amendments and recommended that
the City Council direct staff to offer a "preliminary review" of a
General Plan Amendment, in the concept described in attached "Exhibit
A", as an additional option for applicants seeking General Plan
Amendments.

Motion by Councilmember Stemper, seconded by Councilmember Dolan and
passed unanimously that staff be directed to proceed in accordance
with the recommendations set forth by the Community Development
Director in said proposal, with the modification that the Council
also receive the same presentation of review of an applicant's
proposed General Plan Amendment.

22. The Mayor requested permission to leave the State from November
1, through 8, 1986; permission granted.

23. There being no further business, it was moved by Councilmember
Dolan, seconded by Councilmember Stemper and passed unanimously to
adjourn to a closed session for the purpose of discussing a personnel
matter.

At the closed session, there was no official action taken and it was
moved by Councilmember Cousins, seconded by Councilmember Dolan and
passed unanimously to adjourn to the regular meeting.

24. There being no further business, it was moved by Councilmember
Cousins, seconded by Councilmember Dolan and passed unanimously to
adjourn.

Jerry Bankston, 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.

The easement area abandoned is no longer necessary for street purposes and the remaining area will be consistent with adjoining rights of way.

Dictated by Mike LoSage

RECEIVED
CITY CLERK

OCT 24 1986

CITY OF PASO ROBLES

5. The Mayor read a Proclamation Proclaiming "Red Ribbon Week" in the City of El Paso de Robles October 27 to November 3, 1986, asking citizens to take this opportunity to demonstrate their commitment to drug-free lives.

Motion by Councilmember Dolan, seconded by Councilmember Cousins and passed unanimously to adopt Proclamation Red Ribbon Week. Several citizens appeared and passed out red ribbons for staff and Council to wear.

6. The Mayor announced that it was the time and place scheduled for a public hearing pursuant to Resolution No. 3165 noticing intention of vacating a portion of 36th Street between Oak and Vine Streets, which vacating was at the request of the Paso Robles School District. Staff reviewed the matter, after which the Mayor opened the public hearing to the floor.

There being no comments, oral or written, it was moved by Councilmember Dolan, seconded by Councilmember Stemper and passed unanimously to close the public hearing.

Mr. George Dodge, representing the Paso Robles School District, appeared and answered questions posed by the Council, as to whether or not the School District intended to provide the City with a time commitment for installation of the improvements required by the City on the west side of Oak Street between 34th and 36th Streets. Mr. Dodge stated that the School District intended to make said improvements but was not budgeted for it at this time.

After a lengthy discussion, it was moved by Councilmember Dolan, seconded by Councilmember Cousins and passed unanimously that Resolution No. 3169, A RESOLUTION VACATING A PORTION OF 36TH STREET BETWEEN OAK AND VINE STREETS IN THE CITY OF EL PASO DE ROBLES, be read by title only. The resolution was read by title only.

Councilmember Dolan moved to adopt Resolution No. 3169 with the addition to the conditions regarding the above abandonment, the stipulation that the School District be required to complete the improvements on the west side of Oak Street between 34th and 36th Streets within two years.

Councilmember Cousins stated that she felt that a letter of intent from the School District should be sufficient.

Councilmember Stemper seconded the motion to adopt said Resolution with the addition of the Condition No. 10 (Planning Commission Minutes of September 9, 1986, Item No. 3. New Business), that the School District be required to install full off-site improvements of curb, gutter, sidewalk, and street paving to a smooth transition on the west side of Oak Street from 34th to 36th Street by October 21, 1988.

City Attorney advised that the Council should make the finding that the easement area abandoned is no longer necessary for street purposes and the remaining area will be consistent with adjoining rights of way.

Motion by Councilmember Dolan, seconded by Councilmember Stemper and Cousins, adopted as originally presented by the City Attorney and Russell Ovitt.

7. The Mayor announced that it was the time and place scheduled for public hearing to consider revocation of Use Permit 80039 - Wells Products West for non-compliance with Condition No. 3 which requires the paving of their parking lot. The City Planner reviewed the matter after which the Mayor opened the public hearing and explained Mr. Cliff Willis, holder of the Use Permit, appeared and explained his intention of paving an area 45 feet by 48 feet by the end of the month.

There being no comments, oral or written, it was moved by Councilmember Dolan, seconded by Councilmember Stemper and Cousins, unanimously to close the public hearing.

After discussion, it was moved by Councilmember Cousins and seconded by Councilmember Dolan to give Mr. Willis until November 1, 1986 to pave the parking spaces, and if it is not done by that date, the Use Permit shall be revoked. There followed discussion regarding whether or not the applicant shall be required to pave the access driveways to Cumulus Lane from the parking spaces.

It was then moved by Councilmember Cousins and seconded by Councilmember Dolan to amend the above motion to allow the applicant until November 4, 1986, the next Council meeting date, to pave the five parking spaces, with the added condition that the remainder of the parking spaces be paved at such time as Cumulus Lane is paved to City standards. Motion passed unanimously.

The original motion was then passed by the following roll call vote:
Cousins, Dolan and Russell Stemper Ovitt

AYES:
NOES:
ABSENT:

CC MINUTES 10/21/86

staff to look into the engineering costs for Cumulus Lane, if the City were to do the hearing on the proposed Meadowlark Annexation No. 60. The Manager reviewed the project, noting that no protests had been filed, after which the Mayor opened the public hearing to the floor. There being no comments, oral or written, it was moved by Councilmember Dolan and passed unanimously to close the public hearing.

The City Planner summarized the Resolution adopted by LAFCO approving Annexation No. 60. Resolution No. 3170, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DESIGNATED AS "ANNEXATION NO. 60 (MEADOWLARK)" BE ANNEXED TO THE CITY OF EL PASO DE ROBLES, was introduced.

Motion by Councilmember Dolan, seconded by Councilmember Stemper and passed, with Councilmember Cousins abstaining, that Resolution No. 3170 be read by title only. Resolution No. 3170 was read by title only.

AYES:
NOES:
ABSTAINED:
ABSENT:

Dolan and Russell
None
Cousins and Stemper
Quitt

The City Attorney confirmed that the Resolution could be adopted by the majority of those Councilmembers present voting for adoption; however, he directed that the Resolution be brought back to the next meeting on the Consent Calendar if necessary to be reaffirmed.

10. The Mayor announced that it was the time and place scheduled for public hearing of proposed Annexation No. 61 (Rhombic). The City Manager reviewed the project noting that no protests had been filed. The City Planner then summarized the Resolution adopted by LAFCO approving said Annexation, after which the Mayor opened the public hearing to the floor.

There being no comments, oral or written, it was moved by Councilmember Dolan, seconded by Councilmember Stemper and passed unanimously to close the public hearing.

... Cousins, seconded by Councilmember Dolan and
ANNEXATION NO. 61, (RHOMBIC SCHOOL SITE); be read by
Resolution No. 3171 was read by title only.
... Cousins, seconded by Councilmember Dolan and
Resolution No. 3171 was read by title only.

11. The Consent Calendar was presented. Items G-1, G-2, G-3-b and
G-5 were pulled for discussion. Motion by Councilmember Cousins,
seconded by Councilmember Dolan and passed unanimously that the
remaining 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-3-a Senior Citizens Advisory Board meeting of Oct. 13, 1986.
(Recommend minutes be received and filed.)

G-4 Introduction of Resolution No. 3173, RESOLUTION ACCEPTING
GRANT OF FIFTEEN FOOT EASEMENT FROM U.S. POSTAL SERVICE FOR THE
PURPOSE OF SEWER LINE EASEMENT - 5TH AND PARK. (Recommend adoption.)
Item No. G-1, Introduction of Resolution No. 3172, A RESOLUTION OF
THE CITY COUNCIL OF EL PASO DE ROBLES AUTHORIZING THE
DEPARTMENT OF GENERAL SERVICES, for Council's consideration. (Recommend
TWO 1986 POLICE CRUISERS, for authorization for purchase Order No.
adoption of resolution and for discussion, after which it was moved by
28977.), was presented for discussion, after which it was moved by
Councilmember Dolan, seconded by Councilmember Cousins and passed
unanimously that Item G-1 be approved as presented.

Item No. G-2, Memo from Airport Manager recommending Council accept
recommendation of Tartaglia/Hughes Engineers and the completion of
Airport Improvement Project No. 3-06-0184-04 and authorize:
1. FAA Payment Request #9 (\$39,667.38)
2. Periodic Payment Estimate #8 (\$2,997.55 to A.J. Diani
Construction. (Disbursement contingent upon receipt of funds from
FAA).
3. Notice of Completion (within 10 days of formal acceptance of
the project).
4. Payment of retention fee to A.J. Diani Construction Co.
(\$38,846.06 35 days after the filing of the Notice of Completion
(Recommend approval of Airport Manager's recommendation
above.),

was presented for discussion. A Statement for Professional Services from Tartaglia/Hughes Engineers in the amount of \$4,713.05 for work performed on Airport Project AIP No. 3-06-0184-04 which was presented, was added to the Airport Manager's recommendations for payment, upon receipt of funds from FAA.

Motion by Councilmember Cousins to approve Item No. G-2 with the recommendations of the Airport Manager as set forth in said memo - Councilmember Dolan requested that the motion be amended to include the \$4,713.05 payment to Tartaglia/Hughes - Councilmember Cousins withdrew her motion.

Councilmember Dolan moved to approve Item No. G-2 as recommended with the addition of payment to Tartaglia/Hughes in the amount of \$4,713.05 upon receipt of funds from FAA. Motion seconded by Councilmember Stemper and passed unanimously.

Item No. G-3-b, Minutes of Traffic Safety Commission meeting of October 15, 1986. (Recommend minutes be received and filed.), was presented for discussion. Councilmember Dolan brought up the matter of the need for a crossing guard at the intersection of Niblick and Creston Roads.

Motion by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously that Item G-3-b be approved as recommended.

Item G-5, Memo from Director of Municipal Services recommending Council approve Plans and Specifications for traffic signalization at Melody/Creston Roads and Pioneer/Creston Roads and authorizing projects to go to bid. (Recommend approval.), was presented for discussion. The City Manager reviewed the matter explaining that there was some question to be resolved as to responsibility between Williams Brothers and Chandler for the signal at Pioneer/Creston Roads, and that the City may be delayed in bidding the signal at Pioneer/Creston Roads, but the request of Council remains as recommended for authorization to bid both signals together.

Motion by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously to approve Item G-5 as presented.

Councilmember Stemper requested and received an update on the U. S. Post Office new building plans.

12. It was noted that the minutes for the Planning Commission meeting of October 14, 1986 had not been received to date.

13. A memo from the City Planner presented an appeal filed by Gary Mulholland to the Planning Commission decision to limit development of Planned Development 86005 in its meeting of October 14, 1986.

Motion by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously that a public hearing be set for 7:30 p.m. on November 18, 1986 in the City Council Chambers for the purpose of hearing Mr. Mullholland's appeal.

14. A memo from the Director of Municipal Services presented the recommendations of the consultant selection committee for award of the Sewer Masterplan Study Contract be to John Wallace and Associates in the amount of \$34,696.00.

Motion by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously to approve the Director's recommendations and award said contract to John Wallace and Associates for said amount.

15. A memo from the Director of Municipal Services presented the bid results for the 13th Street Traffic Signal Modifications Project and recommended that the Council award said bid to Lee Wilson Electric in the amount of \$61,775.00 and authorize Mayor and City Clerk to execute the necessary contract documents.

Motion by Councilmember Dolan, seconded by Councilmember Stemper and passed unanimously to approve the Director's recommendations.

16. A memo from the Director of Municipal Services recommended that the City Council authorize the existing contract with Jim Alexander to perform water meter reading services for the City on a monthly basis to be modified by a meter rate increase from \$.39 to \$.42 per meter read.

Motion by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously to approve said increase.

17. The Director of Municipal Services brought up the matter of the request by Wesco for a will serve letter for water, as required by the County for them to split a lot into four parcels.

Motion by Councilmember Dolan and seconded by Councilmember Cousins to adopt a policy to not serve parcels outside of the City limits until such time as the property is annexed to the City.

Motion passed by the following roll call vote:

AYES: Dolan, Cousins and Russell
NOES: None
ABSENT: Ovitt
ABSTAINED: Stemper

Staff was directed to notify Wesco of adopted policy.

18. A memo from the City Planner reported on the matter of Tract 1417 (Johnson-Miller) which had been pulled from the Planning

... which report on special conditions pertinent to Vesting
Manager announced that requests have been received from
Tracts from "Vesting" designation, therefore, be deleted if the "Vesting"
Mr. Steve Sylvester, representing Tract 1417, presented a drawing of
the project and answered questions from Council and staff.

Councilmember Dolan stated his concerns with Condition 17, in
particular the intersection of Navajo Road and South River Road. He
wanted to see the left turn lane installed before development of the
first lot and installation of a guard rail.
He also referred to Condition 7, and wanted the language "and until
issuance of a Certificate of Occupancy." added to the condition.
The City Manager advised that in order to enforce that requirement,
the City must adopt an Ordinance. He further stated that such an
ordinance must be prepared for Council consideration by the meeting
of November 18, 1986.

It was moved by Councilmember Dolan and seconded by Councilmember
Stemper that Item B, Tract 1417 of the Planning Commission minutes of
September 23, 1986 be approved in accordance with the amendments set
forth in the City Planner's memo to Council dated October 16, 1986,
and with the amendments to the following conditions:
17. ... A left turn pocket and widening of River Road will be
completed subject to the approval of the City Engineer prior to any
building permit being issued for Phase 1 of the project.

45. The words "not a vested right and shall be" deleted from
the sentence.
Motion passed by the following roll call vote:
Cousins, Dolan, Stemper and Russell
None
Quitt

19. A memo from the City Planner reported on the matter of Tract
1396 (Timm) which had been pulled from the Planning Commission
minutes in the Council meeting of October 7, 1986 until staff could
prepare a report on special conditions pertinent to Vesting Mr. Dolan
and which could, therefore, be deleted if the "Vesting" designation
was withdrawn.

Mr. Dave Baum, representative for the applicant, appeared. There was discussion regarding the legality and feasibility of a developer putting in subdivision improvements at his own cost, and then the City giving them credit towards other subdivision costs within public property.

The City Attorney stated that when it is public property, the City must go out to bid on the project. The City Engineer stated that he had checked with other agencies and found that one had used that procedure but recognized that some question did exist.

It was moved by Councilmember Cousins and seconded by Councilmember Dolan that Tract 1396 and EIS 86005 be approved subject to the 6 findings and 34 conditions with the modifications to Condition 9 deleting sentence referring to "vested right", and Condition 34 with the deletion of "are not a vested right and".

Councilmember Dolan brought up the matter of the maintenance of Lot 47 and the question of CC&R's in Condition 29. The City Planner clarified by stating that Condition 29 referred to "Any" CC&R's not that they were required. It was agreed that Lot 47 would be left as is being contiguous with Centennial Park.

Councilmember Cousins called for the question.

Motion passed by the following roll call vote:

AYES: Cousins, Dolan and Russell
NOES: None
ABSENT: Ovitt
ABSTAINED: Stemper

20. A memo from the City Planner presented a request for waiver of fees for the School District's proposed bus barn facility on the southeast corner of Union and Benchmark Roads and set forth specifically recommended fees for waiver. Discussion ensued wherein Councilmembers Stemper and Dolan objected to the waiver of the fees, particularly the bridge fee.

Motion by Councilmember Cousins and seconded by Councilmember Russell to approve the recommendations of staff and the Planning Commission to waive the following fees:

- a. Signalization Fee
- b. Curb, Gutter and Sidewalk Permit Fee
- c. Architectural Review Fee
- d. Development Plan Review Fee
- e. Bridge Development Fee
- f. Annexation Public Safety Fee
- g. Annexation Bridge Fee
- h. Building Permit Fee