

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
JANUARY 20, 1987

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, Ovitt, Dolan, Stemper and Russell; none being absent. Following roll call an invocation was given by Rev. Mike Kernutt.

1. The minutes of the regular meeting of January 6, 1987 were presented and approved upon motion by Councilmember Dolan, seconded by Councilmember Stemper and passed unanimously with the following amendments:

- Item 4 - Motion passed on a four to zero vote:
- Item 6 - Councilmember Stemper abstained.
- Item 11 - Councilmember Cousins abstained.
- Items 13 e. and f. - Councilmember Cousins abstained.

2. Mr. David Garth, President of the San Luis Obispo Chamber of Commerce, briefly reported on the their efforts at organizing a County wide program of the San Luis Obispo Visitors and Conference Bureau, and introduced Ms. Jonni Eylar, who presented the Bureau's proposal. At the beginning of the presentation, Councilmember Dolan stated that he would be abstaining from any action regarding this matter due to a conflict in that he is Past President of the local Chamber of Commerce and still involved with the accounting work for the Chamber.

Following Ms. Eylar's presentation, Mr. Tom Martin, representing the local wineries, addressed the matter acknowledging the value of the proposal for the County, but also stating that he believed the dollar amount requested was high and that financial participation from the City should be at a lesser amount.

Mr. Ed Shaul, of the local Travelodge, stated that he was in favor of the City's participation in the financing of the program.

Mr. Jim Mullin, Marketing Director for Arciero's Winery, expressed his support as a member of the steering committee for the VCB.

After further discussion, it was moved by Councilmember Cousins that the City contribute \$8,000.00 towards the program from the Council's contingency fund. Councilmember Ovitt moved to amend the motion by adding that the contribution be subject to an approved written

agreement between the City and the VCB. Councilmember Cousins seconded the amended motion. Councilmember Stemper advised that he must abstain from voting on this matter since he is a limited partner in Eberle Winery which could receive income from the VCB. The motion was passed by the following roll call vote:

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

The original motion was then passed by the following roll call vote:

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

3. An appeal of the Planning Commission denial of a sidewalk waiver for the Paso Robles Inn was presented and upon the recommendation of the City Manager based upon the request of the applicant, it was moved by Councilmember Cousins and seconded by Councilmember Ovitt to continue the appeal until the Council meeting of February 17, 1987. Motion passed on a four to one vote with Councilmember Stemper voting "no", citing his no vote was based upon opposition to continuance without the opportunity for those present to speak to the matter.

4. Mr. Eric Woosley, applicant for the continued public hearing of the Notice of Violation pertaining to Tract No. 1107/Oak Creek Estates/Paso Robles Investments, requested a waiver of the remaining requirement - landscaping of a strip of land bordering said Tract - and presented his arguments in support of said waiver. After which, it was moved by Councilmember Dolan and seconded by Councilmember Russell to deny the requested waiver and authorize staff to file the Notice of Violation. Motion passed by the following roll call vote:

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

It was then moved by Councilmember Dolan, seconded by Councilmember Ovitt and passed unanimously to close the public hearing.

5. The Consent Calendar was presented, and upon motion by Councilmember Ovitt and seconded by Councilmember Dolan that the Consent Calendar was approved, together with the recommendations as set forth therein, said motion waiving reading of all resolutions in full. Motion passed by the following roll call vote:

AYES: Cousins (abstaining on Items B, F, G and H), Stemper

(abstaining on Items F through J), Qvitt, Dolan and Russell

NOES: None  
ABSENT: None

Those items on the Consent Calendar are as follows:

**A. Approval of Letter of Agreement with SKYWEST Airlines**

Included in your Agenda packet is the Letter of Agreement between the City and SKYWEST Airlines which has been reviewed by staff and approved by the City Attorney.

**SUGGESTED ACTION:** A MOTION to approve said Agreement and authorize the Mayor and City Clerk to execute same.

**B. Approval of Final Parcel Map PRAL 85-357 - Black/Ysabel Avenue & Black Oak Drive**

Staff finds the map to be technically correct and all conditions of tentative approval have been met. In adopting the Consent Calendar, Council approves the map and authorizes the City Clerk to sign said map.

**C. Approval of Final Parcel Map PRAL 86-040 - Jones - 18th and Spring Streets**

Staff finds the map to be technically correct and all conditions of tentative approval have been met. In adopting the Consent Calendar, Council approves the map and authorizes the City Clerk to sign said map.

**D. Approval of Final Parcel Map PRAL 86-083 - Hysell - Jackson Drive and Union Road**

Staff finds the map to be technically correct and all conditions of tentative approval have been met. In adopting the Consent Calendar, Council approves the map and authorizes the City Clerk to sign said map.

**E. Approval of Final Parcel Map PRAL 86-297 - Kalman - 15th Street and Riverside Avenue**

Staff finds the map to be technically correct and all conditions of tentative approval have been met. In adopting the Consent Calendar, Council approves the map and authorizes the City Clerk to sign said map.

**F. Approval of Subdivision Improvements - Tract 958**

Staff finds that the public improvements have been completed in accordance with approved plans and specifications. In adopting the Consent Calendar, the Council accepts the subdivision improvements for operation and maintenance.

**G. Approval of Subdivision Improvements - Tract 1145**

Staff finds that the public improvements have been completed in accordance with approved plans and specifications. In adopting the Consent Calendar, Council accepts the subdivision improvements for operation and maintenance.

**H. Approval of Subdivision Improvements - Tract 1167**

Staff finds that the public improvements have been completed in accordance with approved plans and specifications. In adopting the Consent Calendar, Council accepts the subdivision improvements for operation and maintenance.

**I. Resolution Accepting Offer of Dedication For Public Road Purposes - Munari**

In adopting the Consent Calendar, Council adopts Resolution No. 87-4, A RESOLUTION ACCEPTING AN IRREVOCABLE & PERPETUAL OFFER TO DEDICATE AN EASEMENT, FOR PUBLIC ROAD PURPOSES - RAMBOUILLET ROAD AND STONEY CREEK ROAD IN THE CITY OF PASO ROBLES, and authorizes the recordation of same.

**J. Resolution Accepting Sewer Easement (Van Blargen)**

In adopting the Consent Calendar, Council adopts Resolution No. 87-5, A RESOLUTION ACCEPTING A GRANT OF EASEMENT FOR A SANITARY SEWER, 15TH STREET AND TERRACE HILL DRIVE IN THE CITY OF EL PASO DE ROBLES, (Van Blargen), as a condition of approval for Tract 1079.

**K. Resolution of Recognition For Bob Byrd**

In adopting the Consent Calendar, Council adopts Resolution No. 87-6, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES RECOGNIZING ROBERT L. BOYD FOR TWENTY-FIVE YEARS OF DEDICATED SERVICE AS A SPECIAL AGENT OF THE FEDERAL BUREAU OF INVESTIGATION, AND CONGRATULATING HIM ON THE OCCASION OF HIS RETIREMENT.

**L. Minutes of Senior Citizens Advisory Committee meeting of January 12, 1987**

In adopting the Consent Calendar, said minutes are received and filed.

**M. Resolution Accepting Offer of Dedication For Public Road Purposes - Hastings**

In adopting the Consent Calendar, Council adopts Resolution No. 87-7, A RESOLUTION ACCEPTING AN IRREVOCABLE & PERPETUAL OFFER TO DEDICATE AN EASEMENT, FOR PUBLIC ROAD PURPOSES, CRESTON AND SHERWOOD ROADS IN THE CITY OF PASO ROBLES (Hastings - Creston Road).

6. The Pre-check Register was presented for January 16, 1987 in the amount of \$652,277.35 and was approved upon motion by Councilmember Ovitt and seconded by Councilmember Cousins with a correction to the two checks written to Union Bank which should have been to Union Asphalt. Motion passed by the following roll call vote:

AYES: Ovitt, Cousins (abstaining on check reference #59301 (ACORN), Dolan (abstaining on check reference #59301 (ACORN), and Russell

NOES: None

ABSENT: None

ABSTAINED: Stemper

7. The minutes of the Planning Commission meeting of January 13, 1987 were reviewed by Community Development Director, Bob Lata.

After discussion, Mayor Russell directed staff to look into the Lease Agreement on the City-owned property at 821 Paso Robles Street, relative to landscaping requirements and fire hydrants.

After further discussion, it was moved by Councilmember Ovitt and seconded by Councilmember Stemper that the minutes of the Planning Commission meeting of January 13, 1987 be approved, together with the findings and conditions as set forth therein. Motion passed by the following roll call vote:

AYES: Ovitt, Stemper (abstained on Item I- D Use Permit 86024), Dolan (abstained on Item II - D, PR 86-287), Cousins (abstained on Item I-C, Use Permit 86025), and Russell

NOES: None

ABSENT: None

8. The matter of the request for a continuance of Council consideration of Planning Commission actions relative to Tentative Tract 1397, Planned Development 80007-C, and EIS 86007/Dickson, was presented. Council directed staff to hold over the matter until such time as staff is prepared to put the project back on the Agenda.

9. A memo from the Director of Municipal Services presented the Traffic Circulation Master Plan for Council's consideration. Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously to adopt the Plan.

10. The Director of Municipal services presented the Speed Zone Study and introduced ORDINANCE AMENDING CHAPTER 12.54 OF THE

MUNICIPAL CODE PERTAINING TO VEHICLES AND TRAFFIC SPEED ZONES, for first reading.

During review of the speed zone study, Councilmember Dolan expressed concerns about the recommended speed zones on South River Road, particularly in relation to the proposed development on Navajo Street.

It was moved by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously that said Ordinance be read by title only. The Ordinance was read by title only. Motion by Councilmember Ovitt and seconded by Councilmember Cousins that this constitute the first reading of the Ordinance. Motion passed by the following roll call vote:

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

11. Progress Payment No. 6 to MCM Construction Company for work completed on the Niblick Bridge was presented for approval.

Motion by Councilmember Cousins and seconded by Councilmember Ovitt to approve the Progress Payment No. 6 in the amount of \$303,085.74. Motion passed by the following roll call vote:

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

12. A request for issuance of a building permit to Lot 15 of the Orchard Bungalow Tract and a request for waiver of the City Ordinance prohibiting use of septic tanks within the City if within one mile of the Salinas River (subject Lot lies within 3/4 of a mile of the River) has been received by the City.

After discussion, it was moved by Councilmember Stemper, seconded by Councilmember Ovitt and passed unanimously to hold over the matter to the meeting of February 3, 1987 to allow staff to review the proximity of the closest sewer and the possibility of obtaining an easement.

13. Ordinance No. 525 N.S., AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES AMENDING SECTION 11 OF ORDINANCE 515 N.S. TO ESTABLISH A REQUIREMENT FOR ISSUANCE OF CERTIFICATES OF OCCUPANCY FOR SINGLE FAMILY RESIDENTIAL DWELLINGS AND PRIVATE GARAGES, CARPORTS AND SHEDS, was presented for second reading and adoption.

Motion by Councilmember Dolan, seconded by Councilmember Ovitt and passed unanimously, that Ordinance No. 525 N.S. be read by title only. Ordinance No. 525 N.S. was read by title only.

Motion by Councilmember Dolan and seconded by Councilmember Ovitt that this constitute the second reading and adoption of Ordinance No. 525 N.S. Motion passed by the following roll call vote:

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

14. The appointment to the vacancy existing on the Airport Advisory Committee was presented for discussion; the Mayor suggested holding the matter over until the next meeting to enable the Council to further review the applications received.

After discussion, it was moved by Councilmember Cousins and seconded by Councilmember Stemper to adopt a change in the Committee policy by removing the Council and Planning Commission representative from the Committee as a voting member; they may act in an advisory capacity only. Motion passed by the following roll call vote:

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

15. There was discussion of the advisability of the Airport Advisory Committee retaining the seven memberships. Motion by Councilmember Cousins that three new members be appointed to the Committee thereby retaining the seven memberships. Motion seconded by Councilmember Stemper. Motion passed by the following roll call vote:

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

16. The City Manager reported on the Jack Creek Dam Study. The Director of Municipal Services and the City Engineer at the request of several property owners did meet with them and present the facts behind the Council's action and answer questions. The property owners expressed appreciation for the City's approach to the matter; however, they are still not in favor of the project. The property that is most important for the first phase study is still open for consideration. Staff will report back at the next Council meeting. The City Manager stated that there will be no further expenditure until the contract has been signed and forwarded to the contract engineers.

17. The lease between the City and Western Heritage Enterprises for the development of Barney Schwartz Park, and an accompanying Addendum

to said lease, was presented for discussion. Council discussed the term of the lease and fees and stated general agreement with staff's recommendations. Staff was directed to continue refining the lease and bring it back to Council at a later date.

18. The City Manager requested a closed session at the end of the meeting for the purpose of discussing personnel matters.

19. Councilmember Stemper received permission to leave the State from January 22 through January 25, 1987.

20. Councilmember Ovitt reported on meeting of the San Luis Obispo County Area Council with reference to signalization and realignment of First Street at the Niblick Bridge approach. He stated that Caltrans has been requested to place the funding for this project as their No. 1 and No. 2 priority on their minor project fundings.

He also discussed the recent legislation, AB 2926, which authorizes school districts to directly require developers to pay fees to finance the construction or rehabilitation of temporary or permanent school facilities.

The Mayor instructed staff to prepare a resolution to bring back to Council reducing the local interim school fees and retain the local ordinance which authorizes the interim school fees for a period of one year, thus maintaining a County wide profile.

21. Councilmember Dolan commended the Police Department and Fire Department members for the manner in which they handled a shooting incident at the Round Table Pizza Parlor on January 17, 1987.

22. Councilmember Stemper announced that he was now Chairman of LAFCO and would be representing the North County in that Agency.

23. Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously to adjourn to a closed session. At the closed session, personnel matters were discussed with no official action taken, and upon motion by Councilmember Ovitt, seconded by Councilmember Stemper and passed unanimously the closed session was adjourned 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 to a study session regarding Halferty Development Company on January 28, 1987 at 5:30 p.m. in the City Council Chambers.

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