

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
FEBRUARY 3, 1987

The City Council of the City of El Paso de Robles, meeting in regular session on the above date at 8:00 p.m., was called to order by Mayor Nick Russell with the following Councilmembers answering roll call: Cousins, Ovitt, Dolan, Stemper and Russell; none being absent. Before roll call an invocation was given by Rev. Paul Dinkel.

1. The minutes of the regular meeting of January 20, 1987 were presented and approved upon motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously.
2. A proclamation proclaiming the month of February to be AMERICAN HISTORY MONTH (Daughters of the American Revolution) was adopted upon motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously.
3. A proclamation proclaiming May 1, 1987 "SPECIAL OLYMPICS DAY" was read by the Mayor and adopted upon motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously. Ms. Vicki Sacksteder, Area Director for the Special Olympics, and Ms. Ashley Zimmerman, a student in Paso Robles High School and a participant in the Special Olympics, were introduced and commended for their efforts in the program.
4. The Mayor introduced the new Administrative Services Director, Michael J. Compton, and welcomed him to the City.
5. The Community Development Director, Bob Lata, reviewed proposed Annexation No. 63 initiated by Ms. Helen Dooley, which consists of approximately 32.5 acres located between Creston and Rhombic Roads, south of Meadowlark Road. The City Planner presented the Local Agency Formation Commission's (LAFCO) summary; no protests were received and a negative declaration was approved by LAFCO. The Mayor then opened the public hearing.

Mr. Jack Stinchfield, resident of the Spanish Camp development which lies adjacent to the proposed Annexation, appeared and stated that he was not protesting the Annexation; however, he was concerned that the zoning for the property be for no smaller than one acre lots.

There being no more comments received either for or against the annexation, it was moved by Councilmember Dolan, seconded by Councilmember Ovitt and passed unanimously to close the public hearing.

Councilmember Stemper, being a member of LAFCO, reported that one parcel is tentatively being considered for purchase by a church and public school.

Resolution No. 87-8, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES ORDERING TERRITORY DESIGNATED AS "ANNEXATION NO. 63 (DOOLEY)" BE ANNEXED TO THE CITY OF EL PASO DE ROBLES, was presented for Council's consideration.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously that Resolution No. 87-8 be read by title only. The resolution was read by title only.

Motion by Councilmember Ovitt and seconded by Councilmember Stemper that Resolution No. 87-8 be adopted. Motion passed by the following roll call vote:

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

6. Mr. Dennis Bethel, of Dennis Bethel and Associates, Inc., representing Roger Snellenberger and Glenn Garvin who are involved in the Riverglen project, addressed the Council to discuss the Council's recent establishment of a Specific Plan policy for the City and its impact on the Riverglen project. Mr. Bethel stated that they were concerned with timing, and therefore, requested that the project be allowed the ability to proceed with their development plan parallel with the Specific Plan.

The City Engineer and the Community Development Director presented their views and concerns regarding the project.

Councilmember Dolan asked if it was possible to proceed with processing the Plan development while preparing the Specific Plan. Bob Lata stated there would be minimal risk in processing the application while developing the Specific Plan. Mr. Bethel stated that they would be comfortable in proceeding along such lines; a parallel path.

Councilmember Cousins stated that she believed the City should allow the project to proceed in a parallel path, but suggested that the matter be postponed subject to the City Attorney and staff preparing an agreement between the City and the parties of Riverglen, that is equitable to both parties. Mr. Bethel stated that they would be in agreement to come back to the next meeting with a signed statement.

The City Engineer further stated that he has concerns; staff would not have the time to foresee the requirements in a week or two.

Councilmember Ovitt presented his concerns regarding the need to uphold the Specific Plan policy as recently adopted, and that the applicant should be allowed to work with staff along the policy guideline established and not get involved in writing specific documents.

Mr. Bethel again stressed the need for them to submit their application for the development plan at this time, in order to begin the process, and not have to wait until the Specific Plan is approved.

The City Manager suggested that the matter be held over to the meeting of February 17, 1987, staff will make every effort to prepare an agreement, present the agreement and then at that time accept the proposal; if it meets with the applicant's approval and the Council's approval, then the City could accept the application and proceed from there.

After further discussion, it was moved by Councilmember Cousins and seconded by Councilmember Dolan to hold the matter over to the meeting of February 17, 1987 with the finding that the applicant consents to the matter being held over. Motion passed on a four to one vote with Councilmember Ovitt voting "no".

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

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

Those items on the Consent Calendar are as follows:

A. Minutes of Parks & Recreation Advisory Committee Meeting of January 12, 1987

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

B. Minutes of Airport Advisory Committee meeting of January 22, 1987

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

E. Authorization to Solicit bids For Signalization - First and Spring Streets

In adopting the Consent Calendar, Council authorizes staff to request bids for the installation of signals at First and Spring Streets. Plans and Specifications are being prepared by Caltrans.

Councilmember Ovitt requested discussion of Item IV-C, Authorization to solicit proposals for Engineering Consultant Services for FAA Airport Improvement Program

Included in your agenda packet is a staff memorandum with an attachment which provides a listing of projects which meet present FAA requirements for eligibility to receive Federal grant support. The City is presently in the fourth year of the last five year cycle of the FAA Grant Program. This request is to prepare for a pre-application for the next five year cycle with its deadline of early summer this year.

In adopting the Consent Calendar, Council authorizes staff to solicit proposals for Engineering Consultant Services for the preparation of an application for the next five year cycle of FAA Airport Improvement Grant Program.

Councilmember Ovitt stated that it was his understanding that Caltrans is also funding aviation projects and that some of the projects listed within these documents are also available for funding under Caltrans. The Airport Manager answered that some have been submitted already. City Manager stated that alternate funding sources could be determined and staff could research the availability of Caltrans funding.

Motion by Councilmember Ovitt, seconded by Councilmember Stemper and passed unanimously to accept the recommendations of staff to solicit proposals for Engineering Consultant Services for the FAA Airport Improvement Grant Program.

Mayor Russell requested discussion of Item IV-D, Approval of Agreement For Police Department Vehicle Tow Service

Included in your agenda packet is an Agreement recommended by staff to improve coordination and administration of police ordered vehicle towing service. The City has discussed and submitted the Agreement to the two towing services presently located within the City's limits; one has returned the signed agreement. In adopting the Consent Calendar, Council approves the Agreement and authorizes the Mayor and City Clerk to sign the Agreement with Alliance Towing Service.

Mayor Russell questioned Items 14 and 15 of the Memorandum of Understanding for the above-mentioned agreement with OPTS, which puts the applicants in a tenuous position providing the City with an intangible as far as amount of service, scope of service, and also it becomes a rotating basis and open-ended. He feels the City should have the services provided on a fee basis.

Councilmember Dolan questioned if the Items were changed would the agreement have to be reoffered. The City Manager explained that only

one tow company had responded to the agreement due to the terms, and that if Items 14 and 15 are changed it would have to be reoffered. Mr. Joe Deering of Alliance Tow Service who had signed the agreement responded by saying he has been complying with the terms of Item 14. The City Attorney discussed the possibility of hidden costs if no fees are charged the City. The City Manager discussed Item 15 with regard to the Vehicle Code.

After further discussion, it was moved by Councilmember Stemper and seconded by Councilmember Ovitt to hold the matter over until the meeting of February 17, 1987 for further review by staff and the City Attorney. Motion passed on a three to two vote with Councilmembers Cousins and Dolan voting "no".

8. The Pre-check register for January 30, 1987 was presented for Council's approval in the amount of \$471,703.78. Motion by Councilmember Ovitt and seconded by Councilmember Cousins to approve said warrants. Motion passed by the following roll call vote:

AYES: Ovitt, Cousins, Dolan (abstained on Check No. 60276 Chamber of Commerce), Stemper (abstained on Check No. 60092 Point West Bank) and Russell  
NOES: None  
ABSENT: None

9. A memo from the Airport Manager recommended that Council approve the Engineering Agreement with Tartaglia-Hughes for design and engineering work on the last segment of the current Airport Improvement Program and authorize the Mayor and City Clerk to execute the necessary documents.

Motion by Councilmember Ovitt and seconded by Councilmember Cousins to accept the recommendations of the Airport Manager and authorize the Mayor and City Clerk to execute said documents for an amount not to exceed \$66,700.00. Motion passed by the following roll call vote:

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

10. The minutes for the Planning Commission meeting of January 27, 1987 were reviewed by the Community Development Director, Bob Lata.

Councilmember Dolan posed questions to staff pertaining to Item B, Parcel Map 86-289/Barraza, particularly the request for waiver of sidewalks on Grove and Blackburn Streets and the policy that in lieu deposits would be made towards sidewalks, curbs and gutters. Staff explained that the "in lieu" process has never reached the formal policy status. He requested that the potential for inconsistency existed and that he believed it should be cleared up. He also referred to Item D. Waiver 86006; applicant J. F. McAdam, wherein the

applicant requested waiver of curbs, gutters and sidewalks for a single family residence, observing that other property improvements in the area had not been required to include them. Councilmember Dolan stated he could not see the difference in the grade on the properties relating to the Hillside Ordinance.

After discussion, it was moved by Councilmember Cousins and seconded by Councilmember Ovitt that the minutes of the Planning Commission meeting of January 27, 1987 be approved, together with the findings and conditions as set forth therein. Motion passed by the following roll call vote:

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

11. A memo from the Community Development Director recommended that Council withhold action on the Tentative Tract No. 1397, Planned Development 80007-C, and EIS 86007 (Applicant: Douglas Dickson), in accordance with the attached City Attorney's opinion, and refer the matter back to the Planning Commission for appropriate action.

After discussion, it was moved by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously that consideration of EIS 86007 be sent back to the Planning Commission for reassessment in view of the City Attorney's opinion and also consider the Planned Development and the request for Tentative Tract Map 1397. The City Manager reported that Mr. Dickson, by phone, had agreed to a continuance of the matter, of which this statement shall be forthcoming in writing.

12. Consideration of the request by Mr. Donald Freeman for waiver of the City Ordinance prohibiting septic tanks within one mile of the Salinas River (Lot 151, Orchard Bungalow) was continued from the meeting of January 20, 1987. The Director of Community Services reported on the feasibility of providing sewer lines to the lot. Mr. Freeman had submitted a cost estimate of \$16,000.00 for a sewer line and a report of his inability to acquire easements for the line. Mr. Freeman addressed the Council in support of his request.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously to authorize the waiver of the ordinance prohibiting septic tanks for Lot 151, Orchard Bungalow.

13. The Council had considered the applications received for the three vacancies now existing on the Airport Advisory Committee; it was moved by Councilmember Dolan, seconded by Councilmember Stemper and passed unanimously that the following persons be appointed to the Committee: Ms. Shirley Moore, Mr. Harry Coulson and Mr. Rollin G. Lemm.

14. The City Manager reviewed a proposal submitted by Community Systems Associates, Inc., outlining their services and costs for preparation, review and evaluation of the City's Housing Element for an amount not to exceed \$20,000. A viable and current Housing Element to the City's General Plan is required by State Law. The City Manager recommended that the Council authorize a Purchase Order to CSA in an amount of not to exceed \$20,000 for said services, of which the final payment would not be made until State approval of the Housing Element is received.

The City Attorney advised that the Purchase Order should be followed with a standard contract.

Councilmember Dolan questioned if some of the data collection received from this proposal contributes towards the data required for the Redevelopment Agency, i.e., the 20% low income housing. Staff answered that it would, by identifying housing standards; but it will also assist in (1) Redevelopment Planning and (2) it is the basis for applying for other federal and state funding, whether it be for housing or economic development.

Motion by Councilmember Cousins and seconded by Councilmember Ovitt to approve the City Manager's recommendation and authorize the afore-mentioned Purchase Order to be prepared for an amount not to exceed \$20,000.00 which allows CSA to begin work on the housing element and the contract is to be presented as quickly as possible. Motion passed by the following roll call vote:

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

15. The City Manager presented an update on the matter of the Country Club advising that the footings have been excavated back, the inspectors were on site, there was modification that was requested which delay to some degree, but the work has been completed relative to the footings. The plans for the sprinkler system have been reviewed by the City contract staff, the suggestions and corrections have been submitted back to the company with some clarification pending. There has been plan check review, comments noted and back to the engineer for the firm to respond and come back again with no delay. He stated that there was no projected date for completion at this time. There was discussion of whether the City has the right under the new Code to require that which might not have been required traditionally with a reroof.

There followed discussion regarding the requirement of a sprinkler system in the cart area beneath the Country Club main floor. The matter is to come back before the Council on February 17, 1987.

16. Ordinance No. 526 N.S., AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES PERTAINING TO VEHICLES AND TRAFFIC, was presented for second reading and adoption. Motion by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously that Ordinance No. 526 N.S. be read by title only. The Ordinance was read by title only.

Motion by Councilmember Ovitt and seconded by Councilmember Stemper that this constitutes the second reading and adoption of Ordinance No. 526 N.S. Councilmember Dolan stated that he believed the speed limit for Item (j) South River Road from Creston to Charolais Road should be 35 miles an hour instead of 40 miles an hour. Motion passed by the following roll call vote:

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

17. City Manager requested a closed session at the end of the meeting for the purpose of discussing potential litigation regarding acquisition of property for the bridge right-of-way.

18. Councilmember Ovitt commented on the effectiveness of overhead projections in making presentations. He also brought up the matter of the differences in policies that are being implemented by staff particularly in field inspections. The Mayor directed that whenever staff initiates a change in plan that both the Planning Commission and Councilmembers should be apprised. Councilmember Stemper also commented on the usefulness of an overhead projector.

19. The Mayor suggested that, after the new Airport Advisory members are installed, there be a joint study session with the Council and the Committee for discussion of policies, roles, specific plan and the Redevelopment Preliminary Plan.

20. Motion by Councilmember Ovitt, seconded by Councilmember Stemper and passed unanimously to adjourn to a closed session for the purpose of discussing potential litigation regarding acquisition of property for the bridge right-of-way. At the closed session, there was no official action taken. It was moved by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously to adjourn to the regular session.

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

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