

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
SEPTEMBER 15, 1987

The City Council of the City of El Paso de Robles, meeting in regular session at 7:30 p.m. on the above date, was called to order by Mayor Nick Russell with the following Councilmembers answering roll call: Ovitt, Dolan, Cousins, Martin and Russell.

1. The minutes of the adjourned regular meeting of August 26, and the regular meeting of September 1, 1987 were presented and approved upon motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously.

2. The Mayor announced that it was the time and place scheduled for the continued public hearing on the City's Draft Housing Element to the General Plan. The Community Development Director, Bob Lata, reviewed the Housing Element, after which the Mayor opened the public hearing to the audience.

There being no comments, either oral and written, the public hearing was closed upon motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously.

Councilmember Ovitt discussed the need for the next update of the Housing Element to use the 1990 census.

Councilmember Dolan discussed the employment category, stating that the industrial exceeds the agriculture and that they should continue to look at that in relation to job opportunities.

Mayor Russell referred to the inconsistent use of "El Paso de Robles" and "Paso Robles". It was decided that "El Paso de Robles" be used in the title and that "Paso Robles" be used throughout the text.

During discussion of Programs - Implementations, 1.5.6, the Mayor recommended that "Adopt and enforce a Building Security Ordinance" be amended to "Will consider adopting a Building Security Ordinance".

It was then moved by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously to approve the Negative Declaration of Environmental Impact to the Housing Element.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously that Resolution No. 87-62, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES ADOPTING THE 1987 UPDATE TO THE HOUSING ELEMENT OF THE GENERAL PLAN, including Exhibit A thereto, be read by title only. The Resolution was read by title only.

Motion by Councilmember Ovitt and seconded by Councilmember Dolan that Resolution No. 87-62 be adopted. Motion passed by the following roll call vote:

NOTICE OF ADJOURNMENT

YOU ARE HEREBY NOTIFIED that the meeting of the
City Council of the City of El Paso de Robles, California,
held on SEPTEMBER 15, at 87 in the
Council Chambers, City Hall, 1030 Spring Street, Paso
Robles, California 93446, has been adjourned to
SEPTEMBER 24, 1987 at 7:00 P.M. in the Council
Chambers, City Hall, 1030 Spring Street, Paso Robles,
California 93446.

DATE: SEPT 16, 1987

CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES

BY: *Dawn Hudson*
CITY CLERK



City of El Paso de Robles

"The Pass of the Oaks"

AGENDA

CITY COUNCIL
STUDY SESSION
SEPTEMBER 24, 1987

CITY COUNCIL CHAMBERS
1030 SPRING STREET
7:00 P.M.

CALL TO ORDER

ROLL CALL

- I. REPORT ON BRIDGE DEVELOPMENT FUND
- II. PRESENTATION OF CAPITAL IMPROVEMENT PROGRAM BUDGET
- III. ADJOURNMENT Naming the time and place if other than a regular meeting.

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

3. The Consent Calendar was presented. Motion by Councilmember Ovitt and seconded by Councilmember Martin that the Consent Calendar be approved, together with the recommendations as set forth therein. Councilmember Dolan requested discussion of Item B., Airport Advisory Committee minutes of August 27, 1987, with regard to the Use Permit for the Helicopter Education Service business, after which the City Manager pulled Item B. for further review and clarification of the Use Permit requirements and to come back to Council at a future date.

The makers of the motion and second agreed to withdrawing Item B.

Motion passed by the following roll call vote:

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

Those items on the Consent Calendar are as follows:

A. Caltrans Agreement Amendment - First and Spring Streets

The traffic signal located at First and Spring Streets at present is partially within the State right-of-way. Its location was necessary to gain Caltrans participation in the cost of construction and, as was agreed, upon completion of construction, the City would take jurisdiction of the intersection. In adopting the Consent Calendar, Council authorizes execution of the revised Agreement.

C. Approval of Progress Payment No. 3 to Tartaglia/Hughes For Airport Project No. 3-06-0184-05

In adopting the Consent Calendar, Council approves Progress Payment No. 3 in the amount of \$19,507.85 to Tartaglia-Hughes contingent upon receipt of grant funds from FAA.

D. Approval of Change Order No. 1/Airport Improvement Project No. 3-06-0184-05

The Change Order is an anticipated adjustment now that the project has been completed and the final quantities have been determined. NOTE: This Change Order reflects a net decrease in the overall contract price with Madonna Construction; the amended contract amount is now \$350,958.06. In adopting the Consent Calendar, Council approves Change Order No. 1 with Madonna Construction for a decrease of \$3,958.06.

E. Approval of Progress Payment No. 2 to Madonna Construction Co. for Airport Improvement Project No. 3-06-0184-05

In adopting the Consent Calendar, Council approves said Progress Payment No. 2 to Madonna Construction in the amount of \$239,572.57 and, contingent upon receipt of grant funds from the FAA, authorizes the appropriate payment.

4. The Pre-check Register for August 31, 1987 (\$490,723.16), September 10, 1987 (\$315,945.42) and September 11, 1987 (\$105,625.43) was approved upon motion by Councilmember Ovitt and seconded by Councilmember Dolan. Motion passed by the following roll call vote:

AYES: Ovitt, Dolan, Martin, Cousins and Russell (Abstaining on No. 69809, 69810 and 69728)
NOES: None
ABSENT: None

5. A memo from the Director of Administrative Services recommended that Council adopt Resolution No. 87-63, A RESOLUTION OF THE CITY OF EL PASO DE ROBLES DECLARING ITS INTENTION TO CONSTRUCT CERTAIN WASTEWATER IMPROVEMENTS PURSUANT TO THE CALIFORNIA HEALTH AND SAFETY CODE, SECTIONS 4950, ET SEQ. AND TO ISSUE SEWER REVENUE BONDS TO FINANCE THE IMPROVEMENTS.

After discussion, it was moved by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously that Resolution No. 87-63 be read by title only. Said Resolution was read by title only. Motion by Councilmember Dolan and seconded by Councilmember Ovitt that Resolution No. 87-63 be adopted, thereby setting a public hearing on October 1, 1987 at 7:30 p.m. in the City Council Chambers. Motion passed by the following roll call vote:

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

6. The City Manager announced that a memorandum was received this date from Kelling, Northcross & Nobriga, Inc., the City's bond management consultant, advising of two meetings that have been set prior to the next regularly scheduled Council meeting. The meetings are to be held in New York on September 28, 1987 for the purpose of insuring that Paso Robles receive a bond rating. The City Manager recommended that the Council move to consider the afore-mentioned memorandum on this agenda.

It was moved by Councilmember Dolan, seconded by Councilmember Ovitt and passed unanimously to consider said memorandum at this time.

The City Manager reviewed the memorandum which set forth the importance to Paso Robles of a bond rating. Meetings with Standard &

Poor's and Moody's in New York have been tentatively scheduled for September 28, 1987 at which a member of staff and an elected official should attend.

Motion by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously to authorize reasonable or necessary expenses for the trip to New York for the purpose of securing a bond rating for the City of Paso Robles.

7. A memo from the Director of Administrative Services set forth the annual adjustment to the sewer user rates and presented Resolution No. 87-64, A RESOLUTION ESTABLISHING SEWER RATES FOR THE FISCAL YEAR PERIODS 1987/1988. The Director reviewed the rating schedules which increased the sewer rates 4.1% as indicated by the CPI for the twelve month period ending April, 1987, and answered Council's questions. After discussion, wherein it was determined that there is a need for reviewing the rating structure and for the establishment of a lifeline rating system, the Council appointed a committee of Councilmembers Martin and Ovitt to review the sewer rates.

Motion by Councilmember Martin, seconded by Councilmember Ovitt and passed unanimously that Resolution No. 87-64 be read by title only. Said Resolution was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Ovitt that Resolution No. 87-64 be adopted. Motion passed by the following roll call vote: (Councilmember Cousins felt that the sewer rates should be reviewed by the Committee before increasing the rates.)

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

8. A memo from the Airport Manager recommended that the Council approve Change order No. 2 for the Airport Improvement Project No. 3-06-0184-05, (Taxiway "A" & "E" Overlay and Reconstruction) with Madonna Construction in the amount of \$19,914.55, and authorize the City Manager to execute the necessary Grant Agreement and Change Order documents.

Motion by Councilmember Ovitt and seconded by Councilmember Dolan to approve the recommendations of the Airport Manager as set forth above, authorizing the payment of Change Order No. 2 in an amount not to exceed \$20,000.00. Motion passed by the following roll call vote:

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

9. The Airport Manager reported on the closure of the Flight Service Station at the Airport scheduled for September 25, 1987.

The City Manager recommended that Council authorize expenditure of \$2,500.00 from the Airport Operating budget for the purchase of a radio system at the Airport to be in operation by September 25, 1987.

Motion by Councilmember Dolan and seconded by Councilmember Ovitt to authorize the purchase of said radio system if deemed necessary, which shall be used in conjunction with a future Unicom system, in an amount not to exceed \$2,500.00 from the Airport Operating budget. Motion passed by the following roll call vote:

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

10. The minutes of the Planning Commission meeting of September 8, 1987 were reviewed by the Community Development Director, Bob Lata.

Discussion followed regarding Item I. A, Use Permit 87019, Allstar Inns, on Black Oak Drive. Councilmember Cousins questioned the 24 foot driveway and potential drainage problems when Caltrans widens their right-of-way. Councilmember Ovitt discussed the height of the proposed sign, the need to review the freeway sign specifications, and the need for a third exit. Councilmember Dolan felt that the 6 foot buffer fence would not shield the southbound traffic from the oncoming traffic.

Councilmember Ovitt discussed the need for a flag system in regard to Item No. I.B, Use Permit 87020, Master use permit for multi-tenant building within the Planned Manufacturing Zone - Delta Partners.

Mayor Russell discussed the need for review on the business license system.

It was then moved by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously to approve the minutes of the Planning Commission meeting of September 8, 1987, together with the findings and conditions as set forth therein.

11. At this time, the Mayor passed the gavel to Mayor Pro Tem Cousins and stepped down to avoid conflict of interest.

A memo from the Director of Parks and Recreation presented the results of bids received on the seven-yard dump truck, continued from the meeting of September 1, 1987. The Director of Parks and Recreation presented a letter just received from Pete Johnston, the high bidder, supporting staff's recommendation to purchase the vehicle from Palla Equipment, based upon the proximity and ease of service, resultant future savings and convenience and the spending and returning of City funds to the local economy.

The qualified bids were as follows:

Gibbs International, Nipomo	\$36,939.30
Palla Equipment, Paso Robles	37,388.32
Pete Johnston, Paso Robles	37,807.76

The City Manager explained that the Council's adopted purchasing Ordinance and policy provide authority to the City Manager as the City's Purchasing Agent to consider certain other items which can include warranties, availability of service, the City's in-house capability to service following warranty, recognition of sales tax credit for in-City purchases, among other items in determining the apparent low bid and award of bid.

Mr. Ed Gibbs, representing Gibbs International, appeared and supported the award of bid to their company, on the basis of their mobile service units provided in the field and the reliability of the International equipment. In answer to the City Attorney's questions, he confirmed that the Company's field units were in the City at least two times a week and that the charge was \$45.00 an hour.

Councilmember Ovitt referred to the policy that the City try to purchase locally whenever feasible and supported staff's recommendation to award to Palla Equipment.

Councilmembers Dolan and Martin agreed with staff.

The City Manager announced that staff will be budgeting for training in servicing International equipment in the upcoming Fiscal Budget.

Motion by Councilmember Ovitt and seconded by Councilmember Martin that the Council award said bid to Palla Equipment in the amount of \$37,388.32, based upon the finding that the bid is within a reasonable amount to purchase locally, is consistent with Council adopted Ordinance and State law, and to authorize the necessary appropriation of \$2,388.32 from unappropriated budgeted funds.

The City Attorney stated that staff be given opportunity to prepare findings and bring them back to Council.

Motion passed by the following roll call vote:

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

12. The Mayor Pro Tem called a five minute recess, after which the Mayor resumed his seat and called the meeting back to order with all members present.

13. The City Manager recommended that Item VI-E-1, an ordinance proposing revisions to the use of septic systems, be pulled from the agenda and brought back to Council at a later date.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously that said Item be pulled and brought back to Council at a later date.

14. A memo from the Director of Municipal Services, recommended that Council adopt Resolution No. 87-65, A RESOLUTION OF INTENTION FOR VACATING A PORTION OF LELAND STREET IN THE CITY OF EL PASO DE ROBLES.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously that Resolution No. 87-65 be read by title only. Said Resolution was read by title only.

Motion by Councilmember Ovitt, seconded by Councilmember Martin and passed unanimously to adopt Resolution No. 87-65 thereby setting the hour of 7:30 p.m. on October 20, 1987 in the City Council Chambers for public hearing.

15. Ordinance No. 539 N.S., AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES PERTAINING TO PROPERTY MAINTENANCE AND ABATEMENT OF PROPERTY NUISANCES, was presented for second reading and adoption.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously that Ordinance No. 539 N.S. be read by title only. Said Ordinance was read by title only.

Motion by Councilmember Ovitt and seconded by Councilmember Dolan that this constitutes the second reading and adoption of Ordinance No. 539 N.S. Motion passed by the following roll call vote:

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

16. Motion by Councilmember Ovitt, seconded by Councilmember Martin and passed unanimously to appoint Madelyn Paasch to the Board of Commissioners of the Paso Robles Housing Authority.

17. Due to the League of California Cities Annual Conference being held on a regularly scheduled Council meeting date with several members planning to attend, it was moved by Councilmember Ovitt, seconded by Councilmember Martin and passed unanimously to schedule a study session on September 24, 1987 at 7:00 p.m., the next regular Council meeting at 7:30 p.m. on October 1, 1987, and a study session scheduled for October 14, 1987 at 7:00 p.m.

18. Motion by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously to reappoint Marie George and Lillian House to the Senior Citizens Advisory Committee for terms expiring June 30, 1989.

19. The Settlement Agreement to resolve the matter of litigation between the City and Leisure Lifestyle Corporation, previous owner of Quail Run, was presented for consideration.

The City Attorney recommended that the Council approve the Agreement as presented subject to staff completing the review of what payments have been received and what hookups remain. The Planning Department determined that there are 28 model units that are not hooked up to water and sewer; the City is paid in full with one unit off which is being worked out.

Motion by Councilmember Dolan and seconded by Councilmember Cousins to approve the Settlement Agreement as set forth above, and authorize the Mayor and City Clerk to sign same. Motion passed by the following roll call vote:

AYES: Dolan, Cousins, Qvitt, Martin and Russell
NOES: None
ABSENT: None

20. A letter from James E. Hascall, Chairman of the Arts and Crafts Faire at the Farmers' Market, requested use of 14th Street between Spring and Park on November 10, 1987 for an Arts and Crafts Faire; setup would begin at 11:00 a.m. with sales beginning at 12:00 Noon.

Mr. Ron Morgan, President of BIA, addressed the matter, stating they were opposed to the use of the 14th Street for said purpose, stressing the inconvenience placed upon the adjacent merchants by the Farmers' Market and the precedent that would be set by starting the Farmers' Market earlier in the day. Duane Picanco, a merchant in the area, stated that parking has become a problem, with complaints received from merchants.

Mayor Russell expressed his concerns for the time frame having had discussions with merchants in that area with regard to parking, and allowing the addition of arts and crafts to be sold in an area that is adjacent to businesses that are presently offering the same type of items for sale.

Councilmember Dolan agreed to the concerns expressed regarding parking and the closing of the streets as it affects the adjacent businesses.

Councilmember Cousins stated that she believes the time frame should remain the same and that the Arts and Crafts Faire should not be allowed.

Councilmember Martin stated he had concerns regarding the parking and the expansion of the Farmers Market into the giftware category.

Motion by Councilmember Dolan and seconded by Councilmember Cousins to deny the Jim Hascall's request to hold an Arts and Crafts Faire and extend the time of the Farmers Market on November 10, 1987. Motion passed by the following roll call vote:

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

Councilmember Ovitt stated his "no" vote was not based upon the type of activity requested but as to the extension of hours.

21. Councilmember Ovitt commented on the visibility of the new traffic officers and concerns regarding u-turns in the middle of the streets. The Police Chief explained the Departments plans for enforcing no u-turns in the middle of the streets.

22. Mayor Russell advised that a request has been received from the operator of the landfill, Edgar Wiebe, to have a committee established by the Council to review the landfill rates; a new law has increased the operating procedure and costs, therefore, the rates should be reviewed as quickly as possible to come back to Council. Mayor Russell and Councilmember Dolan are appointed to the committee.

23. The Mayor reported that he and the City Engineer met with the Cemetery District Board this date and they are reviewing the proposal for the Mountain Springs Road realignment.

24. The Mayor appointed Councilmember Martin as the community representative on the El Paso de Robles Boys School Advisory Committee.

25. It was then moved by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously to adjourn to the closed session to discuss personnel matters.

At the closed session, no official action was taken and upon motion by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously the closed session was adjourned to the regular meeting.

26. There being no further business, it was moved by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously to adjourn to September 24, 1987 at 7:00 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.