

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
NOVEMBER 17, 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 regular meeting of November 3, 1987 were presented and approved upon motion by Councilmember Cousins, seconded by Councilmember Ovitt, and passed unanimously.
2. Ms. Liz Duvencck, representing the League of Women Voters, explained the California Bicentennial Foundation for the U. S. Constitution's "Sign-on" project and passed a copy of the Constitution which was signed by the Council and members of staff. The copy of the Constitution will be displayed in the next Rose Parade.
3. The Paso Robles Kiwanis Club gave a choral rendition of the ballad "There is a Privy in the Park" in recognition of their project, the recent new restrooms in Sherwood Park. Dr. Bob Bryant reported in detail on the generous donations of citizens and contractors which resulted in the original budgeted amount of \$15,000 being reduced to approximately \$11,000.
4. The Mayor announced that it was the time and place scheduled for public hearing of the Union/46 Specific Plan; however, the Community Development Director advised that staff has recommended that the hearing be continued in order to give the consultant more time to finalize the draft, and to allow more adequate opportunity for staff, property owners, and the Council to review the draft document.

The Mayor opened the public hearing; there being no comments, it was moved by Councilmember Ovitt, seconded by Councilmember Martin and passed unanimously to continue the public hearing to December 1, 1987 at 7:30 p.m.

5. The Mayor announced that it was the time and place scheduled for public hearing of Parcel Map PR 83-080 (Applicant: Don Tuley). The matter was reviewed by the Community Development Director. Discussion followed wherein it was considered to defer the approval of the Parcel Map until adequate waste disposal methods associated with the development of the four parcels have been finalized.

The Mayor opened the public hearing. Mr. Tim Roberts, representing the applicant, Don Tuley, reviewed the project urging the Council to approve the Parcel Map based upon Condition No. 2 of the proposed Resolution, which stated: "If determined by the City Engineer to be required, the applicant shall form a separate legal entity in a form subject to approval of the City Attorney, City Engineer and Regional Water Quality Control Board, to operate and maintain the sewer system prior to recordation of this map and pay all cost associated with the

formation of said entity, so that one entity is responsible to operate the on-site sewage disposal system, or defer recordation of the parcel map until sewer is available."

The City Manager discussed the formation of a benefit maintenance district as a mechanism to give the assurance of having collection of funds and ability to perform the necessary maintenance of a sewer system without having to go through certain litigations, with the potential of the four parcels being in separate ownerships.

Mayor Russell stated that he understood that the subdivision would be deferred until such time as sewer was available or if the applicant could satisfy the conditions to somehow maintain the system; he stated he did not believe the City should get involved with having to negotiate and work on the maintenance system with four different property owners.

After a lengthy discussion, it was moved by Councilmember Ovitt and seconded by Councilmember Martin to continue the approval of the Tentative Parcel Map 83-080/Tuley until such time as a benefit assessment district could be formed to the satisfaction of the City Attorney and the City Engineer in regards to the maintenance of any private disposal system. Motion passed by the following roll call vote:

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

6. The Mayor announced that it was the time and place scheduled for public hearing of Planned Development 87-004 and Use Permit 87011/Culver. The Community Development Director, Bob Lata, reviewed the project explaining that an application had been filed to establish a multi-tenant industrial complex at the corner of Dry Creek Road and Cloud Way, on the south side of Paso Robles Airport, and introduced Resolution No. 87-74, A RESOLUTION APPROVING PLANNED DEVELOPMENT 87-004 AND USE PERMIT 87011/CULVER, for Council's consideration. The applicant has requested a waiver of Municipal Code requirements applying to the use of a septic system for this project.

The Mayor opened the public hearing; there being no comments either oral or written, the public hearing was closed upon motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously.

The Mayor suggested the addition of another condition in the Resolution: That the applicant shall connect to the sewer system within 90 days once the public sewer comes within 200 ft. of the property line.

After further discussion, it was moved by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously to approve the Negative Declaration for Planned Development 87004 and Conditional Use Permit 87011, subject to the conditions and findings therein.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously that Resolution No. 87-84 be read by title only. Resolution No. 87-84 was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Cousins to adopt Resolution No. 87-84. Motion passed by the following roll call vote:

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

7. The Mayor announced that it was the time and place scheduled for public hearing of the abatement of a nuisance at the location of 212 - 24th Street. The Community Development Director reviewed the matter, explaining the existing drainage problem and the need to locate and fill the abandoned septic system.

The Mayor opened the public hearing; there being no comments either oral or written, the public hearing was closed upon motion by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously.

After a brief discussion, it was moved by Councilmember Cousins, seconded by Councilmember Dolan, and passed unanimously, declaring the property located at 212 - 24th Street a nuisance and to provide the owner thirty (30) days to abate said nuisance.

8. The Consent Calendar was presented. The City Manager withdrew Item No. E, Authorization to Advertise For Bids - Annual Street Striping, (the authorization having been received in a previous Council meeting). Item No.s C and F were withdrawn for discussion.

Motion by Councilmember Ovitt and seconded by Councilmember Dolan that the Consent Calendar be approved, together with the recommendations as set forth therein, with the exception of Item No.s C and F. Motion passed by the following roll call vote:

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

Those items on the Consent Calendar were as follows:

A. Minutes of Planning Commission meeting of November 10, 1987

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

B. San Luis Obispo County Visitors & Conference Bureau Activity Report - July 1 to September 30, 1987

As requested by Council, the San Luis Obispo County Visitors and Conference Bureau has submitted a quarterly report of activities. In adopting the Consent Calendar, said Activity Report is received and filed.

D. Minutes of the Traffic Safety Committee Meeting of October 21, 1987

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

E. Authorization To Advertise For Bids - Annual Street Striping

In adopting the Consent Calendar, Council authorizes said project to go to bid.

G. Authorization To Advertise For Bids - Quick Attack Vehicle For Fire Department

At the City Council meeting of October 20, 1987, the Council approved an appropriation of \$30,000 (from the 1987-88 Capital Improvement Program Budget) for a Fire Department Quick Attack Vehicle. Included in the Agenda packet are the specifications for said vehicle. In adopting the Consent Calendar, the Council approved said specifications and authorized staff to go out for bid for a Quick Attack Vehicle with award of bid at the next regular Council meeting.

H. Minutes of Senior Citizens Advisory Board Meeting of November 9, 1987

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

Item C. Paso Robles Public Schools Statement of Income and Expenses of SB 201 and Developer Fees for Year Ending June 30, 1987 and Projection For June 30, 1988, was presented for discussion by Councilmember Ovitt who questioned whether SB 201 monies were included. City Manager advised that SB 201 accounting was reflected.

After which Item C was received and filed upon motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously.

After discussion, Item F, Approval of Progress Payment No. 3, DMS Project No. 86-06 to M.J. Hermreck/Creston Road Reconstruction was approved for payment in the amount of \$74,359.68 to M. J. Hermreck upon motion by Councilmember Ovitt, seconded by Councilmember Martin and passed unanimously.

9. The Pre-check Register for November 13, 1987 in an amount of \$1,416,007.91 was presented and approved upon motion by Councilmember Ovitt and seconded by Councilmember Martin and passed by the following roll call vote:

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

10. The Community Development Director, Bob Lata, reviewed a request by Douglas Dickson for a second extension of Tentative Tract No. 1219/Dickson, after which Ms. Mary Gayle, representing Mr. Dickson, addressed the Council stating that, after discussion with staff, they wished to let the Tentative Map expire and submit a new application, that the new map should require little staff review, therefore, they would like consideration of waiver of submittal fees, and that consideration be given to expedite the approval of said map.

After discussion, Ms. Gayle requested that Mr. Dickson's request for time extension of Tract 1219 be withdrawn.

It was moved by Councilmember Ovitt and seconded by Councilmember Martin to accept Mr. Dickson's request for withdrawal of the application for time extension for Tentative Tract 1219/Dickson. Council authorizes staff to accept a submittal of a new Tract map without the requirement of a submittal fee based on rolling over the submittal fee from Tract 1219.

Motion passed by the following roll call vote:

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

11. The City Engineer, Mike Grantham, presented a report explaining that since the Boyer's Car Wash was approved with Condition No. 9, the city had adopted the Capital Improvement Program (CIP). He added that, according to the present CIP program, Condition No. 9 was now void. Staff recommended that the applicant pay a deposit or a bond that would be equal to his/her share of the storm drain. It was understood by staff, that in the adoption of the CIP, that the city would pay for 50% of the cost of the storm drain, which would mean that the landowners on the adjoining sides of the street would pay 25%.

Mayor Russell expressed that it was his understanding that when this condition came through on the conditional use permit, that there was going to be a 50/50 agreement for extending the storm drain the distance of their property into a catch basin at the intersection of 21st and Park Streets.

Tim Roberts, civil engineer, stated that they had a cost estimate of \$12,000.00 from the contractor, who has already bid the job.

After discussion between council and public works staff, it was moved by Councilmember Dvitt that Council direct staff to investigate a means by which the city could participate with the developer in expediting the completion of the project completed. Motion was seconded by Councilmember Dolan and was passed unanimously by the following roll call vote:

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

12. Ron Morgan, president of the BIA and Norma Maye, Christmas Programs Manager, presented a BIA Christmas promotional mailer. Norma Maye gave an overview of the upcoming events for the Christmas season.

The Christmas parade will be held on December 5th. Old Fashioned Downtown Merchants Hospitality Night will be December 11th. The Vine Street Christmas Showcase will be on December 18th. There will be a Street Scene Fashion Show on December 20th. Old Fashioned Farmers Market will be on December 22nd. The BIA requested that between November 27th and December 25th downtown shoppers not be given a ticket if parked for longer than 1 1/2 hours. It is requested that they be given a warning only.

Police Chief, John Nelson, recommended that Vine Street not be closed, but recommended posting no parking signs a few days before the event.

There was extensive discussion regarding the Council's ability to override the ordinance regarding the 1 1/2 hour parking in the business district.

Police Chief, John Nelson, expressed that he would like the council to suspend issuing citations during that time for areas where the limit time parking signs are covered.

After discussion regarding putting christmas lights on private building, Ron Morgan suggested that the lighting should be done privately, not involving the city.

13. Director of Community Services, Stu Ross, reported on the first public hearing of the draft County Park Master Plan. Mr. Ross noted he had spoken at the hearing to express his concern regarding the amount of programming being provided by the City of Paso Robles Recreation staff for residents of the unincorporated areas of the County. Mr. Ross recommended that Council address a letter to the Board of Supervisors reiterating this point.

14. The City Manager stated, regarding the vacation of Riverside just outside the city limits, that the City had submitted an expression of their deep concern and objections to the County. He also noted that there was a continuance by virtue of the City's request, and the City was asked to provide additional information. The County has not ordered the vacation at this point.

15. Councilmember Dolan questioned if a stop sign was going to be installed at Golden Hill Road and Union Road. He also expressed concern for the condition of the pavement on Golden Hill Road.

16. Motion by Councilmember Martin, seconded by Councilmember Ovitt and passed unanimously to adjourn to the Council Chambers at 5:30 p.m. on Thursday, November 19, 1987.

17. Mayor Russell reconvened the Redevelopment Agency meeting. Motion by Agencymember Dolan, seconded by Agencymember Martin, that the Redevelopment Agency adjourn to 5:30 p.m. in the Council Chambers on Thursday, November 19, 1987. The motion passed 4-0 with Councilmember Cousins abstaining.

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