

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
DECEMBER 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, Martin, Cousins and Russell; none being absent.

1. The minutes of the City Council meetings of November 17, 1987 and December 1, 1987 were presented and approved upon motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously with a correction to Item 18 of the minutes of December 1, 1987 indicating that Mayor Russell "abstained" from voting rather than being "absent".
2. Ms. Veeda Cummings, new Administrative Accountant in the Department of Administrative Services, was introduced and welcomed to the City.
3. The Mayor announced that it was the time and place scheduled for the public hearing for Union/46 Specific Plan which had been opened in the Council meeting of November 17, 1987 and continued without receipt of public testimony to this date to allow more time for review of the Draft Final Report. The Community Development Director reviewed the project. It was noted that members of the Morro Group, who had prepared the Final Report were in attendance. The Mayor then opened the public hearing.

Mr. Ed Caffery, who owns ten acres on Mesa and Prospect Roads adjacent to the Bob Hill property, appeared and announced that he wished his property to be excluded from the Specific Plan. He further stated that he had not received the Plan in time to review it, and that he intended to improve the roads on the property to rural standards and specifications. He advised that a feasibility study had been commissioned by him and his associates incorporating neighboring areas which had been submitted to the City for study.

Councilmember Cousins, at this time, announced that she considered that the matter should be postponed.

Councilmember Martin requested Mr. Caffery to furnish him with a copy of the feasibility study to review.

Mr. Leo Wolf, a part owner of the subject property, appeared and requested the Council to consider altering the Specific Plan.

Councilmember Martin stated that he wished to delay the matter in order to receive more input.

Councilmember Ovitt indicated that he was experiencing frustration in disseminating the desires and plans for developing the property as presented by the property owners.

Councilmember Cousins suggested that the necessary architectural design and cost estimates be prepared by staff. The City Manager explained that an architect was necessary for some items but staff would try to limit the need and hold the cost down.

Motion by Councilmember Martin and seconded by Councilmember Dolan to authorize staff to request proposals from local architectural firms to prepare the plans and cost estimates for the remodel of the Post Office building. Motion passed by the following roll call vote:

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

15. The City Manager advised that a request had been received by members of the Pioneer Museum to hold over the written communication submitted by the President, Harlow Ford, to the next Council meeting.

16. Resolution No. 87-103, A RESOLUTION SUPPORTING EFFORTS TOWARDS FEDERAL GOVERNMENT IMPROVEMENT OF MARINER SAFETY AT THE MORRO BAY HARBOR ENTRANCE, was introduced for Council consideration.

Motion by Councilmember Dolan, seconded by Councilmember Cousins and passed unanimously that Resolution No. 87-103 be read by title only. Said Resolution was read by title only.

Motion by Councilmember Dolan, seconded by Councilmember Ovitt and passed unanimously to adopt Resolution No. 87-103.

17. It was moved by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously to adjourn to a closed session, at the request of the City Attorney for discussion of Oak Creek Park.

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

18. There being no further business, it was moved by Councilmember Cousins, seconded by Councilmember Ovitt 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.

**NOTICE OF SPECIAL MEETING**

TO CITY COUNCILMEN,  
CITY OF EL PASO DE ROBLES:

You are hereby notified that the members of the City Council of the City of El Paso de Robles are called to meet in SPECIAL SESSION at 5:30 p.m., on Wednesday, December 23, 1987, at the City Hall in the City of El Paso de Robles for the purpose of bid award - Sewer Expansion Plant.

Date: December 18, 1987

*Dawn Hudson*  
Jerry Bankston, City Clerk  
Dawn Hudson, Deputy City Clerk

We, the undersigned members of the City Council of the City of El Paso de Robles do hereby accept service of the foregoing notice of Special Meeting and do hereby consent and agree that the said City Council shall meet at the time and place for the purpose therein stated.

COUNCILMEN,

*Nick Russell*  
*Steve White*  
*Jack Ott*  
*Betty Louren*

I, Dawn Hudson, Deputy, City Clerk of the City of El Paso de Robles do hereby certify that the above notice was served in the manner provided by law and all signatures affixed thereto and the same placed on file in my office at least three hours before the time set for the holding of said meeting.

IN TESTIMONY WHEREOF, I have set my hand and the seal of said City this 22nd day of December, 1987.

*Dawn Hudson*  
Deputy City Clerk of the City of El Paso de Robles.

Mr. John Trowbridge, a property owner in the subject area, stated that he had just received the Specific Plan on December 11, 1987; that he objected to the trails, horse facilities, the school site and the amount of open land required in the Plan. He questioned the City's rights to acquire open land and fair market value of school sites. The City Manager responded that the value of school sites are left to the appraiser and that the fair market value takes into consideration land values at their highest and best use consistent with existing zoning.

Mr. Robert D. Hill, a property owner in the subject area, appeared and stated that he needed more time to review the Specific Plan. He referred to a letter dated December 11, 1987 he had written to the Mayor setting forth his objections to the "municipal legislative process"; said letter was distributed to the Council and is entered herewith into the record. He referred to prime land in the subject area that was available for sale. He concluded by requesting the Council to continue the entire issue of the Specific Plan.

Councilmember Ovitt suggested that the matter be sent to a study session to clarify the many "vague" issues presented by the property owners, particularly in regard to lot sizes.

There was discussion of the State's control of septic systems, with the City having no authority to allow onsite disposal systems without State approval.

Councilmember Dolan expressed concern regarding the septic system issue and referred to a letter from the State Regional Water Quality Control Board indicating the City's lack of authority in the control of septic systems.

Mr. Doug Dickson, representing Ms. Deborah Ward, owner of the property located at the southwest corner of Mesa and Prospect Roads, applauded the Morro Group and staff in their preparation of the Specific Plan, and stated that his client has no problem with the Plan.

Mr. Merle Miller, representing Rivenglen, appeared and advised that he had not yet received the Specific Plan, and did not want his project held up because of the continuance of the Specific Plan.

The Mayor confirmed that the Final Tract Map would be held up until the Plan is finalized. The Mayor stated that the City is looking at changing the whole septic system within all areas of the City.

Mr. John McCarthy, the Engineer representing Sunset Ridge-Adobe Hills, appeared and addressed several specific issues regarding the Specific Plan - the problem of the relationship between the Planned Development designation, the Hillside Ordinance and the Specific Plan and that he does not find that the Planned Development Overlay is

addressed anywhere in the Specific Plan. The Director of Community Development explained that the Specific Plan can override the zoning ordinance and referred Mr. McCarthy to the portion of the Plan that specifically addresses the relationship between the Specific Plan, Hillside Ordinance and Planned Development process. He further explained that the way the Specific Plan is laid out it does not override the Hillside Ordinance or the ability to work with the physical features within the Hillside Ordinance and does not preclude the kinds of flexibility the Council has been exercising in the past. He stated that the Specific Plan specifies minimum lot sizes.

Mr. McCarthy further addressed the issues of fees, particularly water well fees (\$240,000 for a water well that would serve the east development also), the time of collection of fees should be at time of development instead at time of approval of Final Map, and concerns regarding the signalization fees. He also believed there to be a question of equity in Buena Vista Street being a benefit zone, and the septic tank issue.

Mr. LaMoyne J. Shinn, property owner in the subject area, discussed a survey to establish lot values, 2 to 3 units per acre, 8,000 square feet; one acre lot with green belt and easement would bring the same value as a 12,000 square foot lot, based upon whether the greenbelt and/or easement would be a positive or negative impact.

Mr. John Trowbridge again addressed the Council asking if horses could be restricted from his property, if rural area lot size was three unites per acre, and if the almond trees could be removed.

The Mayor suggested the language referring to horses could be changed to "would be allowed" and the almond trees "could be left to the wishes of the property owner".

A lengthy discussion ensued, with Councilmember Dolan suggesting minimum lot sizes of 8,000 square feet with an average lot size per acre of 12,000 square feet, and with staff being allowed to evaluate and recommend consideration of specific density applications, and with unit development not to exceed three units on anyone acreage

It was moved by Councilmember Dolan and seconded by Councilmember Cousins to continue the matter to the January 5, 1988 meeting at 7:30 p.m.. Mr. Pool, Engineer with the Morro Group, responded to questions regarding whether Buena Vista was intended to be a major arterial street. He advised that he considered the 13th Street corridor to be the major problem, and that Buena Vista was an important issue to be considered with Caltrans.

There was a call for the question; the above motion was passed unanimously.

4. The Mayor called for a recess after which he called the meeting back to order at 10:45 p.m. with all Councilmembers present.

5. The Mayor announced that it was the time and place scheduled for public hearing of Tract Map 1526/Massey, a proposed subdivision located north of Palomino Lane and west of Appaloosa Drive within an Z-1 zone. The Community Development Director reviewed the subdivision which is being proposed in two phases, with 13 lots in Phase 1 and 16 lots in Phase 2, the primary focus of discussion and concern being the grading treatment of the lots which abut the existing subdivision to the east. The Planning Commission consensus was to require the new pads to be compatible with the existing terracing of the adjacent residential lots. The Director indicated that "compatible" needs to be more definitive.

The Mayor opened the public hearing to the audience. 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.

There followed a lengthy discussion with Councilmembers agreeing to the original recommendation that no pad within 35 feet of the existing residences to the east shall be higher than the adjacent lot, and the 36 feet wide streets being brought to existing standards.

It was then moved by Councilmember Dolan, seconded by Councilmember Ovitt and passed unanimously to approve a negative declaration status for Tract 1526 with conditions amended as follows:

a. Applicants shall grade the lots along the eastern tract boundary so as to reflect the terraced grades of the lots to the east, providing the same pad elevations (as compared to the directly adjacent lots to the east) for at least the rear thirty-five (35) feet of each specified residential parcel, with grading and drainage being subject to the approval of the City Engineer; and

b. The street shall be brought to existing standards (60 foot right-of-way with paving widths constructed at 40 feet curb to curb).

Motion by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously that Resolution No. 87-97, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES TO GRANT TENTATIVE MAP APPROVAL FOR TRACT 1526 (KEN MASSEY), be read by title only, with conditions amended as set forth above. Said Resolution was read by title only.

Motion by Councilmember Dolan and seconded by Councilmember Ovitt that Resolution No. 87-97 be adopted as amended. Motion passed by the following roll call vote:

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

6. The Mayor announced that it was the time and place scheduled for public hearing of Tract Map 1496/Stinchfield and Planned Development 87005 for the division of approximately 20 acres into 60 residential parcels ranging in size from approximately 7,200 square feet to one acre located east and northeast of Oriole Way at Larkfield Place. The Community Development Director reviewed the project; he mentioned that there are three waste disposal system options available. Immediate sewer line capacity would be contingent upon the Niblick relief line in the 1987/88 CIP budget.

The Mayor opened the public hearing to the floor.

Mr. Allen Campbell, representing Mr. Daryl Stinchfield, appeared and reviewed the project.

Dr. Jack Sloan, adjacent property owner, appeared and indicated his approval and agreement with the development.

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

Councilmember Martin expressed concern regarding the restrictive traffic circulation due to the narrow streets, the water and sewer services and referred to the letters opposing the development on file from adjacent property owners.

Councilmember Dolan agreed and stated his belief that the development of the Tract at this time was not economically feasible.

Mayor Russell agreed with the problem of traffic circulation and the cost of a sewer system.

The Council agreed that the streets be brought to City standards; Larkfield be completed to Driftwood with Oriole and Meadowlark being brought to City standards.

Mr. Campbell requested that the matter be continued to allow staff to work out an agreement to relieve concerns regarding access and site improvements.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously, to continue the matter, at the applicant's request, until such time as conditions of requirement are set forth.

7. The Mayor announced that it was the time and place scheduled for public hearing of Conditional Use Permit 87025/Weyerhaeuer, and upon

motion by Councilmember Dolan, seconded by Councilmember Ovitt and passed unanimously the public hearing was opened, with no input received, and continued to 7:30 p.m. on January 5, 1988.

8. The Consent Calendar was presented. Motion by Councilmember Ovitt and seconded by Councilmember Martin to approve the Consent Calendar, together with the recommendations as set forth therein, with a correction to Item IV A, Planning Commission minutes of December 8, 1987, Item I-A, Tract 1496/Stinchfield - (correcting the "applicant's representative" to Allen Campbell, instead of Ed King). Motion passed by the following roll call vote:

AYES: Ovitt, Martin, Dolan, Cousins (abstaining on Item IV-G) and Russell  
NOES: None  
ABSENT: None

Those items on the Consent Calendar are as follows:

A. Minutes of Planning Commission meeting of December 8, 1987.

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

B. Approval of Final Parcel Map PR 87-199/Lopez - Southeast Corner of Prospect and Mesa

Staff finds Map to be technically correct and all conditions of tentative approval have been met. In adopting the Consent Calendar, Council approves the Final Parcel Map and authorizes execution and recordation.

C. Approval of Final Parcel Map PR 87-037/Yans - Northside of Walnut, Five lots North of Shannon Hill

Staff finds Map to be technically correct and all conditions of tentative approval have been met. In adopting the Consent Calendar, Council approves the Final Parcel Map and authorizes execution and recordation.

D. Resolution No. 87-98, A RESOLUTION ACCEPTING GRANT OF EASEMENT FOR PUBLIC RIGHT-OF-WAY PURPOSES/Campbell - NE Corner of Spring and 7th Streets

The granting of this easement was a condition of development. In adopting the Consent Calendar, Council adopts said Resolution.

E. Resolution No. 87-99, A RESOLUTION ACCEPTING GRANT DEED FOR PUBLIC RIGHT-OF-WAY PURPOSES/ Campbell - NE Corner of Spring and 7th Streets

The granting of this deed was a condition of development. In adopting the Consent Calendar, Council adopts said Resolution.

**F. Resolution No. 87-100, A RESOLUTION CERTIFYING THE STATE AND FEDERAL INTEREST IN GRANT-FUNDED REAL PROPERTY, PURSUANT TO THE CLEAN WATER GRANT PROJECT NO. C-06-1342-120**

The Clean Water Grant Project No. C-06-1342-120 was an award of \$24,132 for the purchase of real property which is the site of the CYA sewer plant. In adopting the Consent Calendar, Council adopts said Resolution.

**G. Receipt by City of Redevelopment Agency's Annual Financial Report**

In adopting the Consent Calendar, said Report is received and filed.

9. The Pre-check Register for November 25, 1987 in the amount of \$307,450.66 was presented and approved upon motion by Councilmember Cousins and seconded by Councilmember Dolan. Motion passed by the following roll call vote:

AYES: Cousins, Dolan, Martin, Ovitt (abstaining on No. 74345),  
and Russell (abstaining on No. 74264)  
NOES: None  
ABSENT: None

10. Mr. Mark Northcross of Kelling, Northcross and Nobriga, the City's Bond Manager, reported on the results of the receipt on this date of bids for the issuance and sale of sewer revenue bonds, advising that the bond market has made it possible for a low interest rate of 7.67%.

Resolution No. 87-101, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA RESCINDING RESOLUTION NO. 87-67 AND ADOPTING THIS RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$6,155,000 SEWER REVENUE BONDS, SERIES A, OF SAID CITY AND PROVIDING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF SAID BONDS, was introduced for Council's consideration with certain amendments as required.

Motion by Councilmember Ovitt, seconded by Councilmember Martin and passed unanimously that Resolution No. 87-101 be read by title only with necessary changes. Said Resolution was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Ovitt that Resolution No. 101 be adopted as amended. Motion passed by the following roll call vote:

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

ABSENT: None

Mr. Northcross advised that the low bid was received from Merrill, Lynch Capital Markets at 7.67%; Resolution No. 87-102, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES AWARDING \$6,155,000 SEWER REVENUE BONDS, SERIES A, TO THE BEST BIDDER AND REJECTING ALL OTHER BIDS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH, was introduced for Council consideration.

Motion by Councilmember Ovitt, seconded by Councilmember Martin and passed unanimously that said Resolution be read by title only. Resolution No. 87-102 was read by title only.

Motion by Councilmember Cousins and seconded by Councilmember Dolan that Resolution No. 87-102 be adopted. Motion passed by the following roll call vote:

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

11. A memo from the Community Development Director presented a request from Paso Robles Golf and Country Club for a time extension for Tract 1333. Mr. Ben Maddalena, representing the Paso Robles Golf and Country Club, appeared and supported the request for a time extension for the 329 lot single family residential subdivision located south of the Golf Course and north of Charolais Road. He explained that the Tentative Map predates current City standards for street sections. He particularly emphasized that the developers were working very closely with the City's Engineering Department and that nothing was done without the Department's approval.

The City Attorney recommended the Tract Map be tabled until staff can further review and bring it back to Council.

Mr. Maddalena stated that the Tract is ready to record; 95% of the engineering is completed and that the tract could be brought up to standard on a voluntary basis.. Mr. Jack Munari, one of the owners of the tract urged Council to extend the Map for 120 days to allow him time to record and proceed with development of the rest of the Tract.

Motion by Councilmember Cousins to allow a time extension to 120 days excluding the widening of the streets, unless done on a voluntary basis. Motion died for lack of a second.

Motion by Councilmember Ovitt and seconded by Councilmember Dolan to refer the matter to staff and table the time extension and have staff bring recommendations to the Council meeting of January 5, 1988.

Motion passed by the following roll call vote:

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

12. A memo from the Director of Public Works recommended the award of bid for the annual street striping for 1987/88 DMS Project No. 87-05 go to the low bidder, Safety Striping of Fillmore, California. Motion by Councilmember Ovitt and seconded by Councilmember Dolan to award said bid to Safety Striping in an amount not to exceed \$24,997.04. Motion passed by the following roll call vote:

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

13. Ordinance No. 541 N.S., AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES AMENDING SECTIONS 21.16.090 AND 100 AND ESTABLISHING SECTION 21.20.205 OF THE ZONING CODE TO ESTABLISH MEANS TO REDUCE INTERIOR SIDE AND REAR SETBACK REQUIREMENTS FOR BUILDINGS AND STRUCTURES ON C-2 AND C-3 ZONED LOTS WHICH ARE ADJACENT TO RESIDENTIALLY-ZONED LOTS, was presented for second reading and adoption.

Motion by Councilmember Ovitt, seconded by Councilmember Cousins and passed unanimously that Ordinance No. 541 N.S. be read by title only. Said Ordinance was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Cousins that Ordinance No. 541 N.S. be adopted. Motion passed by the following roll call vote:

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

14. A memo from the City Manager recommended that the City Council approve the expenditure of \$15,936.58 for the acquisition of the Post Office located at 744-11th Street per the terms of the lease agreement. In addition, it is recommended that the City Council authorize staff to request proposals from local architectural firms to prepare the plans and cost estimates for the remodel which would come back to Council for consideration.

Motion by Councilmember Ovitt and seconded by Councilmember Dolan to authorize the exercise of Option A as set forth in the above-mentioned memorandum, thereby authorizing the expenditure of \$15,936.58 for the the purchase of the Post Office Building. Motion passed by the following roll call vote:

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