

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
JANUARY 19, 1988

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: Oviatt, Dolan, Martin, Cousins and Russell; none being absent.

1. The minutes of the City Council meeting of December 5, 1988 were presented and approved upon motion by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously with an amendment to the second paragraph on Page 4 - November 30th being changed to December 30th.

2. The Union/46 Specific Plan was presented for further discussion and Council action. The Community Development Director gave an update on the matter, advising that the public hearing has been renoticed to all property owners within 300 feet of the project.

The Mayor then asked for Council comments on the recommendations contained in the accompanying staff report on the following issues:

- a. Densities and Street Improvements
- b. Street Improvement Standards Options
- c. Minimum Lot Size
- d. Development Fee Schedule
- e. Open Space
- f. Trail System Options
- g. Open Space Maintenance Options
- h. Equestrian Trails and Facilities
- i. Preservation of Almond Trees
- j. Changes to EIR Analysis Based on Increase in Density

After a lengthy discussion wherein the Councilmembers stated their opinions on each issue, the Mayor opened the public hearing to the audience.

The following property owners addressed the Council with concerns and questions regarding the various issues: Mr. Richard Legrow, Mr. Edmund Caffery and Mr. John Trowbridge.

11. Councilmember Cousins brought up the question of the legality of putting up Do Not Block The Intersection signs at 12th and Spring Streets. The Mayor instructed the City Engineer to put the matter on the Traffic Safety Committee agenda. Councilmember Cousins remarked about stop signs which had been recommended by the Traffic Safety Committee and not being installed yet.

12. Councilmember Dolan discussed the recent waste disposal rates increase and the landfill rates. He asked to put a stay on the Resolution authorizing said increases until all the information received can be reviewed, to see if the rate increases can be justified by the information available.

Councilmember Martin stated that he had intended to bring the matter up also, and due to the possibility of error in the landfill rates that both the landfill and garbage rates should be reviewed. He stated that decisions should be made as to what would be required of franchise operators within the form of financial reports etc., at the time of a rate adjustment request.

The Mayor suggested reconvening the committee as soon as possible for reassessment of information and at that time if incorrect assumptions have been made, and if so, then to look at rescinding the previous rate increases.

Councilmember Dolan stated "No, since it is clear that the information now held is a mistake". Councilmember Dolan's concern with reconvening the committee was not with regard to reconvening the committee, but in allowing the resolution to continue in force until such time as the committee met; Councilmember Dolan felt it was appropriate to reverse the resolution at that time.

The City Attorney stated that there was no way to stay the Resolution, the committee could be reconvened and if an error is found there would be a basis for readjusting and that there is no way to make a finding on an emergency basis.

Councilmember Qvitt suggested that the committee be reconvened to investigate new information and put the matter back on a future agenda for Council consideration. Councilmembers Martin and Dolan agreed that the matter should come back on the agenda in the meeting of February 2, 1988.

13. Councilmember Dolan requested clarification from the Mayor regarding the septic tank issue in relation to the sub-committee addressing sewers; he asked if the matter went to the Planning Commission first. The Mayor clarified that once a final document is drafted, it will go out to the Planning Commission for review and hopefully a joint study session will be held then to discuss it at that time.

14. Councilmember Cousins asked the Police Chief if there was any way to designate and enforce "No U-Turns" in the business district. The Chief answered that it could be done by identifying the area relative to traffic safety and designating it a "No U-Turn" area and posting the appropriate signs along the roadway indicating "No U-Turn".

The matter was to be taken before the Traffic Safety Committee.

15. Councilmember Ovitt requested that staff investigate the possibility of raising the taxi cards to more than three (3) cards per month due to the fact that for some people, the taxi is their primary source of transportation.

Councilmember Ovitt announced that the San Luis Obispo County Council of Governments has announced that they will be seeking funds to do a study on transportation systems and alternatives in the City of Paso Robles.

Councilmember Ovitt discussed the recent information regarding County's plans for toxic waste sites. He requested that information be given to the Council. There were two sites picked in Paso Robles and the only way he knew about them was that somebody gave him a map which showed one at the Airport and one at the Sherwood Industrial Park. He further stated that there needs to be more interagency cooperation and communication in the finalization of the plan before it goes back to the Board of Supervisors.

Mayor Russell asked if he felt it would be appropriate to place the matter on the Agenda of February 4th so Councilmember Dolan could update the Council on what has taken place as well as take some sort of stance on some of the requested locations. Councilmember Dolan stated he would be prepared to give Council an update report at the February 2, 1988 meeting.

16. Councilmember Martin suggested that a sample map be prepared by staff depicting common engineering problems within the City and preferred ways of handling them for all interested persons to use. It was agreed that staff should proceed.

17. It was then moved by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously to adjourn to a closed session to discuss litigation. At the closed session there was no official action taken, and upon motion by Councilmember Ovitt, 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 Ovitt, seconded by seconded by Councilmember Martin and passed unanimously to adjourn to a study session on January 27, 1988 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.

EXHIBIT "A"
TO
CITY COUNCIL MINUTES JANUARY 19, 1988

MEMO

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: COMMUNITY DEVELOPMENT DIRECTOR
RE: APPROVAL OF FINAL UNION/46 SPECIFIC PLAN
DATE: January 27, 1988

This memo is a summary of the direction to be transmitted to The Morro Group for changes to the draft Union/46 Specific Plan and EIR based on the Council's actions of the January 19th public hearing.

Final changes to the Specific Plan

The following discussion refers to options outlined in the previous staff report dated January 8, 1988 prepared for the meeting of January 14, 1988.

1. Density and street improvements. The Council approved Option C, which is to retain the densities for Riverglen (2.1 units per acre) and Sunset Ridge (3 units/acre), and to increase the densities for the balance of the Specific Plan area to a maximum of 3 units per acre. Option C includes the recognition that the Hillside Development Ordinance and Zoning Code still control development on areas with slopes that exceed fifteen (15) percent.

2. Street improvement standards. The Council selected Option A-1, which is to retain the condition that the level of street improvements for residential streets is to be determined at the time of development as originally included in the draft Specific Plan. This language includes retaining the following:

Page 3.13 of the December draft: "f. Residential Streets. Development standards for minor residential street vary. Street sections will include urban, rural or hillside depending upon conditions of each area being developed."

Page 5.8 of the December draft: "The appropriate level of street improvement standards (urban/rural/hillside) will be determined at the time of development application based upon the lot sizes proposed."

In addition to the above options, the Council determined to further clarify that the minimum road improvements for these minor connecting residential streets is the city's adopted rural street improvement standards, which are a 50' ROW, 32' paving with a 3' walkway (the walkway may be required to be asphalt); no

curbs and gutters are required. The City Engineer may require an asphalt berm for drainage where appropriate.

3. Minimum lot sizes. The Council approved a variation of Option B-2, which would retain the minimum lot sizes for Riverglen and Sunset Ridge and allow a decrease in the lot sizes for the balance of the Specific Plan area for an average lot size of 12,000 square feet with a minimum of 10,000 square feet to a maximum of 3 units per acre. The consensus further included specific language that applying the average lot size takes the entire property ownership in aggregate.

4. Development fee schedule. The Council determined that the Development Fee Schedule, attached as Exhibit A to the Resolution to Adopt the Specific Plan, should include the water well site acquisition and development costs. The Development Fee Schedule per unit costs would be calculated on the 1,072 total potential number of units. The fees will be collected prior to approval of a final map, except where a parcel map or other subdivision is not required. The fees will then be collected at the building permit stage.

The Development Fee Schedule that was discussed at the January 19, 1988 hearing focuses on fees that apply to all of the properties in the Specific Plan area. In addition to these general fees, certain properties fall into a "zone of benefit" for participation in the funding of two projects:

- o A water pressure booster pump for properties of higher than the 880-foot elevation. The Public Works Director indicates that individual booster pump systems on individual lots is an alternative way of providing adequate water pressure. Therefore, staff recommends that a zone of benefit should be left to the discretion of the property owners as they develop, if they choose to have a zone of benefit set for a booster pump system to be shared by more than one development.
- o The Buena Vista Drive Connection to Highway 46. The total cost was estimated at \$396,135.00 (Table G-3, Appendix G, Cost Analysis). The properties recommended for inclusion are: Riverglen, Sunset Ridge, Golden Hill, Inc., Trowbridge, Thorndyke, Gillingwaters, Coen, O'Kelly, Requa and Pacheco. Throughout discussion of the Union/46 Specific Plan, there was some agreement that only those properties most likely to use and benefit from Buena Vista Drive as a connection should contribute in fees (see memo dated December 4, 1987 to the Union/46 Property Owners; copies to Council). The per unit fee is calculated based on the total potential number of units for the above properties. The total is 708 units for a per unit fee of \$560.00.

These two zone of benefit fees were not part of the discussion at the 1/19/88 meeting, but had been part of the prior documentation regarding the Specific Plan. Staff would, therefore, recommend that the fees for the Buena Vista Drive Connection, as a zone of benefit, be included as an addendum to the Exhibit "A" upon adoption.

5. Open Space. The Council determined that the following language in the draft Specific Plan (page 3.19) will be retained:

1. Open space is defined as the canyons, hillsides, arroyos and woodlands that are to be preserved.
2. Open space is to be shown as part of adjacent lots and retained in private ownership.
3. Open space easements are to be provided to the city in order to maintain drainage areas, including measures to address erosion, fire hazards and oak tree preservation.

The Council determined to change Number 4 on that list from:

4. Maintenance of open space areas is through a maintenance district or homeowner's association; to:
4. Maintenance of drainage areas and the park site adjacent to the school, is through a benefit assessment/maintenance district.

The Council consensus on the trail system associated with the open space easements is that trails would be an option, not a requirement, and they are to be provided at the discretion of the developer. The developer will also determine if it is desirable to include a pedestrian or equestrian trail system in his development.

Open Space Maintenance Options: The Council consensus was for Option B-1, changing the reference from "open space easements" to "park site and drainage areas", as follows:

Option B-1 - Require open space easements for the park site and drainage areas at the time of subdivision for the areas shown on Map 3.1, with the city responsible for maintenance funded by a benefit maintenance district.

6. Equestrian trails and facilities. Retain the language of the draft Specific Plan, allowing equestrian trails and facilities to be developed at the discretion of the developer.

7. Preservation of almond trees. Amend the language of the draft Specific Plan stating that preservation of the almond trees

is at the discretion of the individual property owners, changing "future" individual property owners to include "existing or future" property owners.

8. Changes to the EIR analysis based on increase in density. Based on the letter from The Morro Group and the staff recommendation, the Council concluded that no further analysis or changes to the EIR are required.

9. In addition to the above policy provisions, the Final Specific Plan also includes other changes to the draft to be consistent with the above direction, correction of typographical errors and other non-substantive clarifications as deemed by the consultant and staff to be consistent with Council direction.

Adoption of Resolution on Final Specific Plan

The Resolution for adoption of the Final Union/46 Specific Plan and EIR and Fee Schedule will be scheduled for the Council meeting of February 16, 1988. Attached to the Resolution will be the following documents:

1. The revised and final Specific Plan.
2. The revised and final EIR.
3. The revised development fee schedule to reflect 1,072 units, including zone of benefit fees.

cc: City Manager
City Engineer
The Morro Group
Union/46 Property Owners

e.finalu46

Resolution No. _____

EXHIBIT A

UNION/46 SPECIFIC PLAN
DEVELOPMENT FEE SCHEDULE
FOR OFF-SITE IMPROVEMENTS

| Item | Fee Per Unit |
|---|--------------|
| Police Equipment | \$ 26 |
| Fire Equipment | 207 |
| Creston Rd./No. River Rd. signal | 247 |
| Union Road improvements | 885 |
| North River Road improvements | 689 |
| Golden Hill Rd./Highway 46 - intersection/signalization | 28 |
| Golden Hill Rd./Union signalization | 24 |
| Park Site Acquisition and Development | 466 |
| Offsite water well (site acquisition and well development) | 233 |
| Specific Plan preparation fee | 93 |
| <hr/> | |
| Total Specific Plan-related Development Fees | \$ 2,898.00 |

Notes:

1. Fees are in 1987 dollars and will be adjusted annually based on the Consumer Price Index for San Francisco/Oakland area.
2. These fees are in addition to existing normal and standard city fees. Other normal and standard city fees are calculated at the time of development based on the type of development application proposed, number of units, etc.
3. These fees were calculated from the information contained in Appendix G (Cost Analysis) of the Specific Plan. The balance of costs and fees shown in the Cost Analysis are engineering estimates for property owners reference.

Resolution No. _____
EXHIBIT A (Continued)

UNION/46 SPECIFIC PLAN

SPECIAL BENEFIT ZONE (1)
FEE SCHEDULE

The following Benefit Zone fee for the Buena Vista Drive Connection only applies to development of properties listed below.

| Item | Per Unit Fee |
|------------------------------|--------------|
| Buena Vista Drive Connection | \$560.00 |

(1) In addition to existing city ordinances establishing zone of benefit for Special Sewer Lines and other benefit areas.

(2) Based on engineering estimates for costs for Buena Vista Drive improvements, Union/46 Specific Plan, Appendix G, Cost Analysis, dated August, 1987 prepared by The Morro Group. Total engineering estimate is \$396,135.00.

(3) The properties to contribute to the costs of improvements are outlined in (4) below, for a total of 708 units (see revised Table 3.1 Density, Lot Size and Estimated Units, Final Union/46 Specific Plan, approved by the City Council 1-19-88).

(4) Applies to those properties west of the drainage area separating the Mesa/Prospect Area from the balance of the Specific Plan area. This includes the following properties shown by existing ownership on Map 1.2 of the Specific Plan: Riverglen, Sunset Ridge, Golden Hill, Inc., Trowbridge, Thorndyke, Gillingwaters, Coen, O'Kelly, Requa, Pacheco. The Mesa/Prospect area properties do not contribute to this fee.

e.u46fees



City of El Paso de Robles

"The Pass of the Oaks"

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

Jan. 19, 1988 at 7:30 p.m.

in the Council Chambers, City Hall, 1030 Spring Street, Paso Robles, California 93446, has been adjourned to

Jan 27, 1988 at 7:00 p.m. in the Council Chambers, City Hall, 1030 Spring Street, Paso Robles, California 93446.

DATE: 1-20-88

CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES

BY:

Dawn Hudson
Deputy CITY CLERK

Mr. John McCarthy, an engineer representing property owners, addressed the Council setting his concerns regarding the fee structure.

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

After further discussion, it was moved by Councilmember Martin and seconded by Councilmember Dolan that A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES ADOPTING A SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT FOR UNION/46 SPECIFIC PLAN, be read by title only. Discussion ensued.

Councilmembers Martin and Dolan agreed to modify the above motion to instruct staff to bring the matter back to Council incorporating the recommendations and instructions received from Council in this meeting into the Final Plan. The recommendations are set forth in a memorandum from the Community Development Department clarifying Council instruction as to each of the issues presented above in Exhibit "A" which is attached hereto and made a part hereof. Motion passed by the following roll call vote:

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

3. The Consent Calendar was presented. Items B, F, and J were pulled from the Calendar for discussion. The City Manager corrected the amount of the Progress Payment No. 1 in Item E as indicated on the Agenda, to \$70,480.12.

Motion by Councilmember Ovitt and seconded by Councilmember Martin to approve the Consent Calendar, together with the recommendations as set forth therein. Motion passed by the following roll call vote:

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

Those items on the Consent Calendar are as follows:

A. Minutes of Planning Commission meeting of December 22, 1987 and January 12, 1988

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

C. Resolution No. 88-03, A RESOLUTION APPROVING CONDITIONAL USE PERMIT 87025 AND ESTABLISHING CONDITIONS OF APPROVAL/WEYERHAEUSER

The City Council, at its meeting of January 5, 1988, in considering an appeal of the Planning Commission decision on approval of Conditional Use Permit 87025, approved the condition requiring curbs, gutters and driveway approaches from the southern boundary of the lease site going north to the southeast corner of Pine and Sixth Streets. In adopting the Consent Calendar, Council approves Resolution No. 88-03 approving Conditional Use Permit No. 87025 with conditions of approval.

D. Resolution No. 88-04, A RESOLUTION ADOPTING AN APPROPRIATION LIMIT FOR THE FISCAL YEAR 1987-88

Proposition 4 was adopted in 1980 and established municipal spending limitation. As a requirement of law the City annually adopt its spending limitation. In adopting the Consent Calendar, Council adopts Resolution No. 88-04 adopting an appropriation limit for the Fiscal Year 1987-88.

E. Approving Progress Payment No. 1 For Centennial Park-Nickerson Drive Extension/Spiess Construction Company

In adopting the Consent Calendar, Council approves Progress Payment No. 1 to Spiess Construction in the amount of \$73,720.13 for work completed on Centennial Park.

G. Minutes of Traffic Safety Committee Meeting of December 16, 1987

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

H. Minutes of Senior Citizens Advisory Board meeting of January 11, 1988

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

I. Ratification of Lease Agreement Between City and Hayward Lumber Company

The City Council, by previous action, approved leasing of the outdoor storage area of the "Boatman" property to Hayward Lumber Company for their temporary use. Council required the lessor to remove all tin structures at the termination of the lease. With Council's recent action to provide the adjacent enclosed facilities to Loaves and Fishes, it is necessary to modify the lease and delete the condition to remove the tin structures. In adopting the Consent Calendar, Council approves and authorizes the Mayor and City Clerk to sign the lease document between the City and Hayward Lumber Company.

K. Minutes of Parks and Recreation Advisory Committee Meeting
of January 11, 1988

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

Item B, Resolution No. 88-02, A RESOLUTION ESTABLISHING A TWO-WAY STOP ON PARK STREET AT SIXTH STREET AND SIXTH STREET AT PINE STREET, was pulled for discussion by Councilmember Cousins. Councilmember Cousins reported that the Traffic Safety Committee had also recommended placement at 7th and Park Streets. After discussion it was moved by Councilmember Ovitt and seconded by Councilmember Cousins that there also be a two-way stop established at 7th and Park Streets, and that said Resolution be read by title only. Motion passed as amended unanimously. Resolution No. 88-02 was read by title only.

Motion by Councilmember Ovitt and seconded by Councilmember Dolan to adopt Resolution No. 88-02 as amended. Motion passed by the following roll call vote:

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

Item F, Approval of Plans and Specs and Authorize Request of Bids For Airport Water Main Extension/DPW 87-06, was presented for discussion. The Public Works Director presented a map depicting the proposed location of the water main extension and answered questions posed by the Councilmembers.

Motion by Councilmember Ovitt and seconded by Councilmember Cousins to authorize staff to advertise for bids for Airport Water Main Extension/DPW 87-06. Motion passed by the following roll call vote:

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

Item J, Approving Opposition to Assembly Bill 2486-Preemption of Local Two-car Garage Ordinances, was pulled for discussion by Councilmember Martin. There was discussion of the need for two-car garages to provide families with necessary storage, workshop and other usable space.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously to authorize the Mayor to execute a letter of opposition and encourage the League of California Cities active participation in the defeat of AB 2486.

4. The Pre-check Register for January 9, 1988 (\$5,691,791.93), January 13, 1988 (\$298,284.91) and January 15, 1988 (\$157,167.12) was presented and approved upon motion by Councilmember Ovitt and seconded by Councilmember Martin. Motion passed by the following roll call vote:

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

5. A memo from the Community Development Director requested that the Council direct the property owners to abate the nuisances existing on the following listed addresses of Tract 876:

| | |
|----------------|----------------|
| 900 Wade Drive | 903 Wade Drive |
| 907 Wade Drive | 911 Wade Drive |
| 912 Wade Drive | 916 Wade Drive |

Pursuant to the Municipal Code, Santa Maria Development, owner of the subject property, has been noticed of the proposed abatement procedure.

Motion by Councilmember Cousins and seconded by Councilmember Ovitt to direct the property owners to pursue completion of the abatement of the nuisance through removal of the concrete forms and filling in of all trenches as soon as possible, but not later than February 9, 1988, in order to protect the City from liability and retain conformity with the Municipal Code Section 9.06.035, subsection (c). Motion passed by the following roll call vote:

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

6. A memo from the Community Development Director recommended that the Council consider the request for time extension for Tract 1333/Jack Munari and the attached list of conditions (Exhibit A). The matter is continued from the meetings of December 15, 1987 and January 5, 1988. A Statement of Agreement prepared by the City Attorney set forth a list of conditions and clarifications which were submitted to Jack Munari for his agreement.

The City Engineer presented a map depicting Tract 1333 and pictures of lots on Tract 1333 which showed that drainage from the golf course is flowing onto the individual lots. He explained that he had seen no drainage plans on the golf course and did not understand how the developer planned to accomplish the necessary drainage.

Jack Munari addressed the Council volunteering to sign an agreement which would be recorded and binding on the property. The City

Attorney stated that a voluntary agreement could be recorded and carried forward on sale of the property.

Mr. Ben Maddalena, engineer for Tract 1333, addressed the Council's concerns regarding grading and drainage, insisting that they were not through with the golf course.

Councilmember Martin expressed concern regarding the problem of potential liability by not pursuing the tentative process rather than a signed agreement. At this point with the time factor not being significantly different, he leans in favor of minimizing liability.

Councilmember Cousins pointed out that three times Mr. Munari has volunteered to sign an agreement, and recommended a 90 day time extension with the voluntary agreement to support it.

The Mayor referred to a letter from Mr. Munari's representative dated January 12, 1988 stating that he agrees to some of the conditions, that the owner will not depart from the tentative map and approved conditions of Tracts 1447 and 1448 and set forth offers to show good faith. Mr. Munari stressed that he just wanted to keep Tracts 1447 and 1448 alive. The Mayor further expressed concern regarding the grading and drainage.

Councilmember Ovitt asked the City Engineer in regard to Tracts 1424, 1425 and 1446 if given a short time period could he clarify and review the information necessary to make a judgment. He stated "Yes". The City Attorney said that during that time period a subdivision agreement could be signed. The City Engineer said that a 90 day time extension should be adequate.

Councilmember Ovitt moved that it has been resolved that there was an intent to set up phasing and by the applicant's letter dated January 12, 1988, and that phasing shows Phase 1 as 1333, Phase 2 is Tract 1420, Phase 3 is Tract 1425, Phase 4 is Tract 1446, Phase 5 is Tract 1447 and Phase 6 is Tract 1448. The intent of the motion is that Phase 1 as Tract 1333 stand as is with development improvements to be finalized upon recommendation of staff, that Phases Tract 1420, 1425, 1446 be granted a 90 day extension for further review and that extension on Tracts 1447 and 1448 be denied. Councilmember Martin seconded the motion.

Councilmember Dolan stated for the record that last week he found himself involved in a similar drainage situation at the golf course; he had checked with the City Attorney regarding his vote in this matter and he was advised that he could vote. He further stated that he agrees with Councilmember Martin that a 90-day time extension on Tracts 1420, 1425 and 1446, would seem appropriate and sufficient to determine whether or not the problems can be solved. He does not see any difference between denial of the extension on Tracts 1447 and

1448 and the applicant's request to go back to the Planning Commission with a redesign. The process and time being the same.

The City Attorney stated that if the conditions can be ironed out, a subdivision agreement could be brought back for the time extension.

Councilmember Cousins questioned the applicant's representative as to the difference on Tracts 1447 and 1448 between an extension or new submittal to the Planning Commission. The representative responded that there was little difference except for the submittal fees.

There was discussion of waiver of the fee if the map is refiled on Tracts 1447 and 1448; the Mayor stated that previous practice in denying time extension for tentative maps was to allow the original submittal fee to roll over to a new submittal. Jack Munari asked for a more reasonable time than 90 days on Tracts 1420, 1425 and 1446. The Mayor explained that the 90 days was for staff to receive from Mr. Munari's engineer the information needed on the golf course elevations and drainage to the Tracts.

Councilmember Ovitt called for the question.

Mr. Mike Rider addressed the Council questioning if the sewer conditions would be adequate to handle all the sewer necessary to serve all the upstream area and hoped that the Council's study sessions regarding sewer be continued in the near future. Council answered that his questions could be answered by staff.

The above motion passed by the following roll call vote:

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

Motion by Councilmember Martin and seconded by Councilmember Dolan that the fees be waived on Tracts 1447 and 1448 if the maps are resubmitted within 90 days from this action. Motion passed by the following roll call vote:

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

The City Attorney asked that in granting the time extension, did that include conditions on phasing and he was told that it did.

7. A memo from the Director of Public Works presented Resolution No. 88-05, A RESOLUTION OF INTENTION FOR VACATING A PUBLIC UTILITIES EASEMENT AND SETTING TIME AND PLACE FOR A PUBLIC HEARING, for Council's consideration.

Motion by Councilmember Cousins, seconded by Councilmember Ovitt and passed unanimously that Resolution No. 88-05 be read by title only. Said Resolution was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Ovitt that Resolution No. 88-05 be adopted thereby setting the time and place for public hearing on February 2, 1988 at 7:30 p.m. Motion passed by the following roll call vote:

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

8. A memo from the Director of Public Works presented a Resolution Establishing No Parking Zone On 15th Street Between Locust and Filbert Streets. Also in the Agenda packet was a letter from Mr. Gary F. Nelson, of 123 15th Street, on behalf of himself and neighbors protesting the signs.

The Director of Public Works presented a map which depicted the narrow street width on 15th Street.

Mr. Gary Nelson, Ms. Sharon Maxwell and Mr. Jim Deering appeared and expressed concern over the no parking signs and the problems created by the street being less than standard width.

The Mayor reviewed the construction of the street in that area and stated that he believed it was the City's responsibility to alleviate the situation, and that the property owners should not be made to suffer. Mayor Russell asked Ms. Maxwell to park her truck somewhere else until such time as the problem is resolved.

Councilmember Martin moved that the No Parking signs be removed from the location on 15th Street between Filbert and Locust on the North side of the street. Councilmember Dolan seconded the motion, asked Ms. Maxwell to park her truck elsewhere temporarily and requested that stop signs be installed. The above motion was passed by the following roll call vote:

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

Councilmember Ovitt suggested that the matter of the stop signs be brought to Traffic Safety Committee.

The Mayor asked staff to look into a solution to the existing problem either through some red curbing and what it would entail to move the curb line back to make for a safer passing distance.

The Mayor asked that the property owners be notified when the issue of the stop signs comes before the Traffic Safety Committee.

9. Ordinance No. _____, AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES AMENDING SECTION 2.64.020 OF CHAPTER 2.64 OF THE MUNICIPAL CODE ENTITLED "PUBLIC MUSEUM OF NATURAL AND HISTORICAL OBJECTS", was introduced for first reading.

Motion by Councilmember Ovitt, seconded by Councilmember Cousins and passed unanimously that said Ordinance be read by title only. Said Ordinance was read by title only.

Motion by Councilmember Dolan and seconded by Councilmember Cousins that this constitute the first reading of said Ordinance.

10. A letter from Mr. Sam A. Genzone requested a sewer will serve letter on Parcels 44, 47, and 48 on Olive Drive off Ramada Drive. It was noted that the City has on file an expired will serve letter for the Silva's property. Mr. Genzone appeared and advised Council that he had been advised by the City's Engineering Department that sewer would be available. He also stated that Templeton Community Services District had informed him that they could not service the area because of the location of their meter.

Mr. Bob Graham, representing Mr. Genzone, appeared and further stated that he had been assured by the City's Engineering Department that sewer would be available at the usual double rate for outside service.

Motion by Councilmember Cousins to honor said request and grant a will serve letter for sewer for one year from January 20, 1988 in accordance with the City's policy. Motion seconded by Councilmember Ovitt and passed by the following roll call vote:

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

The City Manager asked whether it was Council's intention to serve any property other than those indicated in Mr. Genzone's letter and requested authority to discuss with Templeton Community Services District the possibility of moving the meter in the interceptor sewer line further north.

Dr. Anderson appeared and stated that he would not have bought the property mentioned in Item 10. above without the assurance of a will serve letter.

Mayor Russell instructed staff to investigate moving the meter further north so that Templeton could include the property in their area.