

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
FEBRUARY 16, 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: Dolan, Martin, Cousins and Russell; Councilmember Ovitt being absent.

1. The minutes of the City Council meeting of February 2, 1988 were presented and approved upon motion by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously with an amendment to first sentence on Page 7 to read: "Councilmember Dolan stressed the need to quickly pass on the sewer policy to the Planning Commission ...". Also, the first sentence on Page 13 is amended to read: "...prohibits a truck from being parked there."

2. The Mayor announced that it was the time and place scheduled for public hearing of Union/46 Environmental Impact Report and Specific Plan Adoption. The Community Development Director announced that they expect to have the final copies of the Plan and EIR by the end of the week and recommended continuing the public hearing to March 1, 1988.

The Mayor opened the public hearing; there being no comments, either oral or written, the public hearing was continued to March 1, 1988 at 7:30 p.m. upon motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously.

3. The Mayor announced that it was the time and place scheduled for public hearing of Tract Map 1496 and Planned Development 87005/Stinchfield. The Community Development Director presented a staff report, advising that a letter has been received from the applicant, Daryl Stinchfield, dated February 11, 1988, requesting a further continuance of the subject Tract to allow the property owners to the East to submit their Preliminary Development Plan, and that it was his understanding that it may take 45 to 60 days. The Director recommended that the public hearing be opened and the matter continued to April 19, 1988. The City Manager then read the letter into the record as stated above.

Councilmember Cousins stated that it could be inferred that the applicant was not asking for a specific time. The Director stated that he had confirmed the date of April 19, 1988 with the applicant's representative.

The Mayor questioned if it would be appropriate to continue the public hearing or renotice the hearing. The City Manager recommended a renote of the public hearing.

Motion by Councilmember Cousins and seconded by Councilmember Dolan that the public hearing for Tract Map 1496 and Planned Development

Scott and Niblick Road and how it would abut the property next to VandenBerghe Apartments as well as Mr. Clouston's tract. He directed staff to prepare a report for the Council meeting of March 1, 1988 to be discussed.

27. It was moved by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously to adjourn to a closed session for the purpose of discussing possible litigation with Templeton Community Services District.

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

28. There being no further business, it was moved by Councilmember Martin, seconded by Councilmember Cousins 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.

87005/Stinchfield, be tabled and renoticed for public hearing on April 19, 1988 at 7:30 p.m. The motion passed unanimously.

4. The Consent Calendar was approved as presented, together with the recommendations set forth therein, upon motion by Councilmember Martin and seconded by Councilmember Cousins. Motion passed by the following roll call vote:

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

Those items on the Consent Calendar are as follows:

A. Minutes of Planning Commission meeting of February 9, 1988

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

B. Minutes of Airport Advisory Committee meeting of January 28, 1988

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

C. Authorized Reasonable and Necessary Expenses For Planning Commissioners Attendance at Planning Commissioners' Institute

The League of California Cities Annual Planning Commissioners' Institute will be held on March 9th through 11th in Anaheim, California. Fiscal Year 1987/88 Budget was approved in anticipation of approximately three Commissioners' attendance. In announcing the Institute to the Planning Commission, the interest in attendance was greater than the anticipated three. In adopting the Consent Calendar, Council authorizes reasonable and necessary expenses for attendance for Planning Commissioners at the Annual League Institute.

D. San Luis Obispo County Visitors and Conference Bureau Quarterly Report (October 1987 through December 1987)

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

5. The Pre-check Register for February 12, 1988 in the amount of \$1,200,181.97 was approved upon motion by Councilmember Martin and seconded by Councilmember Dolan. Motion passed by the following roll call vote:

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

6. The Director of Administrative Services presented an oral status report resulting from additional inquiry and information received from the City's landfill operator, in accordance with Council's previous direction. He stated that City staff expects to receive full financials for the year ending December 31, 1987 and revenue report for the month of January. The subcommittee will be presenting a report to the Council in the meeting of March 1, 1988.

Councilmember Martin stressed that the Committee should meet and report back even if the financials were not received as expected. Councilmember Dolan concurred and stated if something substantial is not received next week, that action should be taken in the March 1, 1988 Council meeting.

7. The Director of Community Development presented a request for clarification of Council's direction regarding a condition set for Tract 1526/Massey, requiring that the "applicant 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 drainage subject to approval of the City Engineer."

Mr. Dan Stewart, representing the applicant, appeared and explained the need for clarification of interpretation of the stated condition.

After a lengthy discussion, it was Council's consensus that the condition is clearly stated and that there is not a question of interpretation. Mr. Stewart was advised that he may appeal the condition if he wishes but his request for clarification is not appropriate.

8. The City Librarian presented an analysis of site criteria for a new Library adopted by the Library Board. A list of suggested sites to be evaluated as recommended by the Library Board are as follows:

- 12th to 10th, Pine to railroad right of way;
- 12th to 10th, Railroad St., to railroad right of way;
- 10th to 9th, Oak to Spring;
- 9th to 8th, Park to Pine;
- 8th to 7th, Park to Pine;
- 7th to 6th, Spring to Park;
- 7th to 6th, Park to Pine (Robbins Field); and
- and East side site.

The Mayor recommended that sites on the East side be given consideration due to the expected growth of population in that area. Ms. Pat Johnson appeared and confirmed that the Library Board had considered the possibilities of sites on the East from the start.

The City Manager suggested that certain sites could be combined and Creston/Niblick intersection and Creston curve at Pioneer Road could be the East side sites studied..

Motion by Councilmember Martin to approve the site criteria and authorize the architect to proceed. There followed discussion regarding which site criteria was to be approved.

Councilmember Martin withdrew his motion.

It was agreed that the categories of criteria are identified and grouped as follows:

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|----|-----------------|-------------------------------------|
| 15 | Most Important | - Location in high activity area |
| | | - Ease and safety of vehicle access |
| | | - Adequacy of size and shape |
| 10 | Less Important | - Acquisition cost |
| | | - Cost of site development |
| 5 | Least Important | - Pedestrian access |

The City Attorney pointed out that there were legal restrictions involved with the use of Robbins Field.

Motion by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously to approve the site criteria as set forth above.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously that the Architect, Don West, be authorized to proceed with an indepth analysis of the proposed sites and the following list of six sites to be evaluated as amended:

- 1- 12th to 10th, Pine to railroad right of way;
- 2- 10th to 9th, Oak to Spring;
- 3- 6th to 9th; Spring to Pine;
- 4- Robbins Field;
- 5- Creston/Niblick Intersection; and
- 6- Creston Curve at Pioneer Road

9. A memo from the City Librarian recommended that the Council authorize the City Librarian to apply for a \$5,000 "Older Adults Materials Collection Development Grant" which is available through the State Library for the purchase of materials of interest to, and about, older adults. There is no requirement to match grant funds;

there is a requirement for a member of the Library staff to attend a half day workshop sponsored by the State Library.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously to authorize staff to apply for said grant in the amount of \$5,000 and to authorize a staff member to attend the half day workshop.

10. A memo from the Director of Public Works recommended that the Council approve Change Order No. 1 for the Wastewater Treatment Plant Expansion in the amount of \$4,000, which is the estimated cost of a fascia panel to screen the roof of the metal shop building at the wastewater treatment plant as recommended by the Architectural Review Committee.

Motion by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously to approve Change Order No. 1 in the amount of \$4,000.00.

11. The Mayor called a short recess after which the meeting was called to order with all members present except Councilmember Ovitt.

12. A memo from the Director of Public Works recommended that the Council adopt recommended revisions to the Traffic Ordinance to reflect current practice. The following revisions to the ordinance are proposed:

- a. Change the name from Traffic Commission to Traffic Safety Committee; and
- b. Revise list of holidays to those most recently adopted; and
- c. Change the membership of the committee; and
- d. Delete the requirement for preparation of an Annual Traffic Safety Report, since the City receives a report from the State.

The Council agreed that the membership of the committee shall consist of one Councilmember, one Planning Commission member, one School District member, one Chamber of Commerce member and one citizen.

The Council agreed that a redraft of the Ordinance is to come back to Council in the meeting of March 1, 1988.

13. A memo from the Director of Public Works recommended that the Council authorize the Public Works Director to proceed with plans for widening and striping four lanes, bike lanes and No Parking on Niblick Road. Minimal widening and paving would be done between Quarterhorse and South River Road, together with the sewer construction that is scheduled.

Discussion ensued, wherein the following residents along Niblick Road appeared and expressed their concerns regarding the need for parking, the safety of children, and the excessive speed experienced on Niblick Road: Gene Buchanan, Mike Fitzsimmons and Ed Bedrosian. Councilmembers Dolan and Cousins believed that stop signs at Country Club Drive would be helpful.

Motion by Councilmember Dolan to approve the widening and paving of Niblick Road as recommended and the striping of four lanes to allow for parking and not bike lanes, and refer the need for a four way stop sign at Country Club Drive and Niblick Road to Traffic Safety Committee. Motion seconded by Councilmember Martin who stressed the need for a safe walking zone for children versus parking. Motion passed by the following roll call vote:

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

14. A memo from the Director of Public Works recommended that the Council approve the issuance of a water "will serve" letter to James Black for City water service to Parcel C of Parcel Map COAL 76-239 on Union Road. Mr. Black has paid the assessment fees for the Paso Robles Boulevard Assessment Area of which this property is a part of.

Motion by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously to approve the issuance of said will serve letter for a period of one year.

15. The City Manager presented Ordinance No. _____ N.S., AN ORDINANCE AMENDING ORDINANCE NO. 491 N.S. SECTION 2.04.010 OF THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES FIXING TIME AND PLACE OF MEETING OF THE CITY COUNCIL, for first reading and adoption. The Ordinance would change the hour of Council meetings to convene at 7:00 p.m. instead of 7:30 p.m.

Discussion followed, with Councilmember Cousins objecting to the earlier time, stating that members needed more of a break between working hours and the convening of the Council meeting.

Motion by Councilmember Cousins to table the Ordinance. The motion died for lack of a second.

Motion by Councilmember Cousins and seconded by Councilmember Russell that the time of convening the Council meetings remain at 7:30 p.m. on the first and third Tuesdays of each month. Motion passed by the following roll call vote:

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

16. A memo from the City Manager recommended that the City Council approve the execution of the professional services Contract with Geothermal Surveys, Inc. to perform the detailed thermal survey required in Task 1 of the Geothermal Grant Scope of Work. Total payment under the contract will be from the City's Geothermal Grant funds and will not exceed \$10,000.

Motion by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously to authorize the execution of said contract by the Mayor and City Clerk.

17. A letter from J. W. Kleinhammer, Inc. was presented which requested a sewer will serve letter for 232 units for APN 40-131-38-000, property located in the Templeton area, and a letter from L. L. Anderson requesting the reinstatement of the sewer hook ups on the property he has purchased formerly known as the Silva property on Ramada Drive in Templeton.

The City Manager advised the Council that staff has met with Templeton Community Services District and will hold more meetings to resolve these matters.

Mr. Kleinhammer appeared insisting that the subject property should receive sewer service from the City of Paso Robles.

After a lengthy discussion, it was moved by Councilmember Martin and seconded by Councilmember Dolan that the request for sewer service from J. W. Kleinhammer, Inc. be denied. Motion passed by the following roll call vote:

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

Motion by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously to table the request for sewer hook ups from L. L. Anderson.

18. Ordinance No. 543 N.S., AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES DEFINING THE TERM "NONCONFORMING LOTS" AND AMENDING THE NONCONFORMING LAND USE AND BUILDING REGULATIONS OF THE ZONING CODE, was presented for second reading and adoption.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously that Ordinance No. 543 N.S. be read by title only. Said Ordinance was read by title only.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously that this constitutes the second reading and adoption of Ordinance No. 543 N.S.

19. Ordinance No. 544 N.S., AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES AMENDING SECTION 21.16.020, REPEALING SECTION 21.20.430 AND ESTABLISHING SECTION 21.20.203 OF THE ZONING CODE TO REVISE THE FRONT YARD SETBACK REQUIREMENTS IN THE R-1 ZONE, was presented for second reading and adoption.

Motion by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously that Ordinance No. 544 N.S. be read by title only. Said Ordinance was read by title only.

Motion by Councilmember Dolan and seconded by Councilmember Martin that this constitutes the second reading and adoption of Ordinance No. 544 N.S. Motion passed by the following roll call vote:

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

20. Ordinance No. 545 N.S., AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES ADOPTING AN AMENDMENT TO ORDINANCE 515 N.S. TO ESTABLISH A REQUIREMENT FOR INSTALLATION OF AN EMERGENCY AUXILIARY ELECTRICAL DISCONNECT, was introduced for second reading and adoption.

Motion by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously that Ordinance No. 545 N.S. be read by title only. Ordinance No. 545 N.S. was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Cousins that this constitutes the second reading and adoption of Ordinance No. 545 N.S. Motion passed by the following roll call vote:

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

21. Ordinance No. 546 N.S., AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES AMENDING SECTION 11 OF ORDINANCE 515 N.S. ESTABLISHING ADDITIONAL CRITERIA FOR REVOCATION OF A BUILDING PERMIT, was presented for second reading and adoption.

Motion by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously that Ordinance No. 546 N.S. be read by title only. Said Ordinance was read by title only.

Motion by Councilmember Cousins and seconded by Councilmember Martin that this constitutes the second reading and adoption of Ordinance No. 546 N.S. Motion passed by the following roll call vote:

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

22. Ordinance No. ____N.S., AN ORDINANCE ADDING CHAPTER 17.30 TO THE MUNICIPAL CODE ENTITLED BUILDING SECURITY, PROVIDING FOR INSTALLATION OF CERTAIN SECURITY DEVICES IN CERTAIN BUILDINGS AS BURGLARY PREVENTION MEASURES, was presented for for second reading and adoption.

Councilmember Cousins asked for a delay since she has received citizen input and would like more time to review the Ordinance. The Mayor stated that there may be more costs in implementing the Ordinance than originally expected.

Motion by Councilmember Dolan, seconded by Councilmember Cousins and passed unanimously to reschedule the second reading of said Ordinance to the meeting of March 1, 1988.

23. The City Manager requested a closed session at the end of the meeting for discussion of possible litigation with Templeton Community Services District.

24. Written communications from John Trowbridge, Richard B. Legros and Brian and Diana O'Kelly regarding Union/46 Specific Plan were presented.

Motion by Councilmember Martin, seconded by Councilmember Cousins and passed unanimously to receive and defer said letters to the public hearing of the Final Plan for Union/46 Specific Plan.

25. Councilmember Dolan referring to the housing starts on Tract 1215 with the Tract Map unfinalized, believes that the time has come for the City to deal with the bonding company (same company involved in the unresolved Bloch and Bower Tract) in a way that tells them we expect performance from the bonding company when a contractor doesn't perform; he said "that is why we require bonds; the time has come to move quickly on the bonds before the people start wanting to move in the houses on the top of Mountain Springs Road, and the City is going to be in a bind because we let those houses go on without the tract being complete".

The City Manager stated that the one remaining critical issue is relative to Lots 8 and 9 before they can proceed with finaling.

Councilmember Dolan referring to the problems on Rambouillet Street while the bonding company effectively holds the City at arms' length and the residents question why the City doesn't tag the bonding company. "If they won't pay, we'll follow the same system as we would with anyone else; that is why they make the court system".

26. The Mayor stated that he has been contacted by Mr. Ken Clouston regarding his tract on Meadowlark and Creston Road requesting clarification on what staff proposes with the 100 ft right-of-way and the street width in relation to what the City has just put in between