

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

1. The minutes of the City Council meeting of April 5, 1988 were presented and approved upon motion by Councilmember Cousins, seconded by Councilmember Martin and passed unanimously.
2. Mr. Roger Elkin, Executive Manager of the Paso Robles Chamber of Commerce, presented to the Council an interim report on the activities of the Chamber of Commerce since the execution of the City-Chamber Agreement.
3. Proclamation "Deaf Awareness Month - May 1988" was adopted upon motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously.
4. Proclamation "Paso Robles Board of Realtors - American Home Week, April 24-30" was adopted upon motion by Councilmember Martin, seconded by Councilmember Cousins and passed unanimously.
5. The Mayor announced that it was the time and place scheduled for public hearing of Tract No. 1463 and Planned Development 88001/Furlotti. After a staff report of the project by Bob Lata, Director of Community Development, the Mayor opened the public hearing to the floor.

Mr. John McCarthy of North Coast Engineering, as representative of the applicant, addressed the Council requesting a continuance of the public hearing to allow time for preparation of sketches which will show how the lots under 15,000 square feet could be developed under the lot size as shown on the Tentative Map.

It was moved by Councilmember Martin and seconded by Councilmember Cousins that the public hearing for Tract No. 1463 and Planned Development 88001/Furlotti be continued to the Council meeting of May 17, 1988 at 7:30 p.m. at the request of the applicant. Motion passed by the following roll call vote:

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

6. The Mayor announced that it was the time and place scheduled for public hearing for an appeal by the Council of Conditional Use Permit 88006/San Luis Obispo County Farm Supply. The Community Development Director reviewed the project. The Mayor stated his appeal was relative to the condition regarding street abandonment. The

Motion by Councilmember Dolan and seconded by Councilmember Martin to approve the selection of QUAD to prepare the Borkey Area Specific Plan, and to authorize the Mayor and City Clerk to execute said document. Motion passed by the following roll call vote:

AYES: Dolan, Cousins and Martin  
NOES: Russell  
ABSENT: Ovitt

14. A memo from the Fire Chief recommended approval to the request for waiver of Ordinance No. 515 N.S. received from Manford Vanderlip as it applies to Lot 167, Orchard Bungalow Tract, 713 Renate Way. The waiver relates to paving of a fire access road on the property.

Council discussed the need for a modification to said Ordinance as it pertains to fire access roads.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously to grant said waiver and direct staff to bring back a modification to Ordinance No. 515 N.S. as it pertains to fire access roads.

15. The Mayor called a brief recess, after which he called the meeting back to order with all Councilmembers present except Councilmember Ovitt.

16. The City Librarian, Ann Martin, introduced Don West of West Doubledee Architects, who responded to questions from the Council pertaining to the Library Site Analysis Report, particularly the breakdown of the \$12,000 requested to fund the additional site study for Sites D, E and F which focuses on determining estimated development costs associated with and unique to each site.

Councilmember Cousins stated that she does not want to spend any more money; she referred to a survey taken by Virginia Peterson in 1983; that it is a waste of money to look further. She believes that a site should be picked on the basis of what the Council and staff already knows, and to put the Library in the Redevelopment area, and if a branch is needed in the future on the East side, it could be provided at that time.

The Mayor stated that the Council needs to decide if they have adequate information to meet with the Library Board and discuss pros and cons of the sites and come to a conclusion and then spend the money if they have enough information now on a particular site.

Councilmember Martin maintained that the Council should make use of the information they now have and narrow down the potential sites.

Dr. Bob Bryant addressed the Council and proposed that the current Library be considered for expansion and presented photos of such an

expansion; he also proposed parking garages in nearby locations for the use of people attending the Library and keep the Library in the downtown area.

Councilmember Dolan referred to the Library Board's processing of the library site selection and that it is appropriate that the recommendations they have made be considered knowing that it does not preclude the location of the Library in any part of the City.

Councilmember Martin agreed with going along with the recommendations of the Library Board.

Motion by Councilmember Dolan and seconded by Councilmember Martin to authorize the additional site study of Sites D, E and F to be prepared by West and Doubledee Architects for a cost not to exceed \$12,000 and that a joint study session be scheduled within thirty (30) days with the Council and the Library Board to narrow down the sites to be considered for selection.

Motion by Councilmember Cousins to amend the above motion to include the consideration of Site A. The motion died for a lack of a second.

The above motion was passed by the following roll call vote:

AYES: Dolan, Martin and Russell  
NOES: Cousins  
ABSENT: Ovitt

Staff was directed to give copies of the additional Library Site Analysis Report when completed to the Library Board and the Council for review prior to a scheduled study session.

17. The Director of Public Works reviewed a letter and plans received from Mr. Jack Cowden requesting the City Council approve said plans for mitigation of the Oak tree situation at 212 24th Street (PD 86005 and PR 86-126).

There was discussion regarding the drip line of the Oak tree; the City Manager pointed out that the "drip line" Ordinance is not in effect at this time.

Motion by Councilmember Cousins and seconded by Councilmember Martin to direct staff to take the proposed plans to Architectural Review Committee as a proper and acceptable mitigation. Motion passed unanimously.

The Mayor directed staff to look into some modifications of the existing Ordinance relating to activity under the drip line and bring recommendations back to Council.

18. The City Manager reviewed and presented to the Council for their approval the Redevelopment Project Area Committee's proposed goals, policies and program statement. There was discussion of the interchanges between the City and Redevelopment Agency.

During discussion certain changes were recommended, i.e., the word "shall" to be changed to "may" throughout the document and to add Spring Street and a freeway interchange to Goal 1.

Council directed staff to incorporate the recommended revisions into the proposed statement; bring back to Council and upon approval, the statement will be returned to the Project Area Committee.

19. The City Manager reported on the status of Conditional Use Permit 80004/River Road Ready Mix. He explained that all conditions required have been completed. The City Manager has received a verbal commitment from the owner to furnish a Continuous Offer of Dedication of river bottom land. He recommended that Council authorize staff to not advertise or schedule a public hearing for consideration of revocation of CUP 80004 contingent upon receipt of said Offer of Dedication.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously to accept the recommendations of the City Manager.

20. The City Manager requested a closed session at the end of the meeting for discussion on two personnel matters, and property acquisition relative to two issues.

21. The City Attorney reported on the Council's question relative to the City's right to modify the place of hook-up or add additional places of hook-up within Templeton Community Services District and whether the Court judgment can be modified. He stated that the City and Templeton Community Services Board can modify the Court judgment by mutual agreement. He further reported that, under State law, the City does not have the right to serve within the Templeton District unless there is a joint powers agreement again acknowledging that right; however, City service may be provided within the spheres of Templeton as provided in the judgement.

The Council directed staff to prepare a draft modification of said agreement to be brought to Council at a future meeting for consideration, which would then could be taken to the Board of Templeton Community Services District for consideration.

22. Councilmember Dolan requested and received confirmation of the Council and staffs' registration for attendance of the Channel Counties Annual Workshop on May 6, 1988 at Pismo Beach.

He further commented on some items placed upon the Consent Calendar that he felt might possibly be handled administratively by staff

members and proposed adopting a policy which would allow staff to act on certain matters without coming to Council. The City Manager referred to the need of a Consent Calendar for indexing and that more Resolutions will be utilized because they become a part of the permanent history of the City.

23. The Council scheduled two study sessions, at 7:00 p.m. on May 11, 1988 and May 18, 1988.

24. The Mayor proclaimed "Voter Registration Day" May 1, and urged all citizens and civic, community, business and educational organizations and groups to promote voter registration among the voting age populace on May 1 to preserve the right to vote in order to keep America free and in remembrance and celebration of the Bicentennial of the United States Constitution.

25. It was moved by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously to adjourn to a closed session for discussion of personnel matters and acquisition of property.

At the closed session, there was no official action taken and upon motion by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously, it was moved to adjourn to the regular session.

26. There being no further business, it was moved by Councilmember Dolan, seconded by Councilmember Martin 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.

Director confirmed that the language referring to abandonment of the street has been deleted from the Resolution to be adopted.

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

Resolution No. 88-24, APPROVING CONDITIONAL USE PERMIT 88006 (SLO COUNTY FARM SUPPLY - OUTDOOR STORAGE AND DISPLAY), was presented for Council consideration.

Motion by Councilmember Martin, seconded by Councilmember Cousins and passed unanimously that Resolution No. 88-24 be read by title only. Said Resolution was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Cousins to adopt Resolution No. 88-24.

Councilmember Dolan stated that the Use Permit stipulates that the Parcel be given access in the back. He stated he would rather see a parking lot in that area than curb, gutter and sidewalks and a fully developed street that terminates at the river.

Motion passed by the following roll call vote:

AYES: Martin, Cousins and Russell  
NOES: Dolan  
ABSENT: Ovitt

7. The Mayor announced that it was the time and place scheduled for public hearing of the Community Development Block Grant Application which has been prepared with the support and assistance of People Of Self Help Housing, Inc. The Mayor opened the public hearing to the floor.

Mr. Scott Smith, representing People of Self Help Housing, Inc., addressed the Council.

Councilmember Dolan discussed the requirement of landlords to enter into a Rent Limitation Agreement. Mr. Scott Smith stated that it should be included in the application that it would be a minimum of five years or the life of the loan, but if it is paid off, you would still be locked in for five years.

The City Manager stated that the loan payback proceeds continue the housing project which is ongoing and forevermore.

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

It was then moved by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously to approve the draft application for preparation in final with accompanying Exhibits and submittal to the State, and directing staff to prepare the necessary Resolution for adoption by the Council in the meeting of May 3, 1988.

8. The Mayor stated that it was the time and place scheduled for public hearing of Ordinance No. \_\_\_\_\_, AMENDING MUNICIPAL CODE CHAPTER 21.14 RELATING TO FLOOD DAMAGE PREVENTION AND FLOOD INSURANCE PROGRAM. The Director of Public Works reviewed the Ordinance and made the following changes in the Ordinance:

Section 4: Section 21.14.110 - Last sentence shall read "This Ordinance shall not create liability ...decision lawfully made thereunder.

Section 4: Section 21.14.200 - Addition of condition "3. And shall meet anchoring requirements as established by the State of California and/or its appointed inspection agency."

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

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously that Ordinance No. \_\_\_\_\_, relating to flood damage prevention and the flood insurance program be read by title only. Said Ordinance was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Dolan that this constitutes the first reading and introduction of said Ordinance. Motion passed by the following roll call vote:

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

9. The Consent Calendar was presented. The City Manager recommended that the following Item be added to the Consent Calendar: IV. T., approval of Progress Payment No. 4 to Spiess Construction for work completed on Centennial Park.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously to add Item IV T. to the Consent Calendar for Council's approval of Progress Payment No. 4 in the amount of \$106,392.98.

Motion by Councilmember Martin and seconded by Councilmember Dolan that the Consent Calendar be approved, together with the findings and recommendations as set forth therein, with the exception of Items No.

IV-E and IV-D which were withdrawn for discussion; all contracts being subject to the approval of the City Attorney,

Motion passed by the following roll call vote:

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

Those items on the Consent Calendar are as follows:

**A. Minutes of Planning Commission meeting of April 12, 1988**

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

**B. Minutes of Parks and Recreation Advisory Committee meeting of April 11, 1988**

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

**C. Approval of Final Parcel Map PR 88-051/Tuley**

Parcel PR 88-051 is located in Prospect Heights on Union Road. Staff has reviewed the Final Parcel Map and finds it to be technically correct and all conditions of tentative approval have been met. In adopting the Consent Calendar, Council approves Final Parcel Map PR 88-051 and authorizes execution and recordation.

**D. Resolution No. 88-25, ADOPTING THE DECLARATION OF TRUST AGREEMENT OF THE ICMA RETIREMENT CORPORATION**

ICMA has requested that the City adopt by resolution a revised Trust Agreement for the deferred compensation plan currently in effect. In adopting the Consent Calendar, Council adopts Resolution No. 88-25, which provides for a group of nine trustees to be elected by participants to conduct the business of the organization.

**F. Approval of Progress Payment No. 5 For Centennial Park Phase-II/Recreation Systems, Inc.**

In adopting the Consent Calendar, Council approves Progress Payment No. 5 to Recreation Systems, Inc. in the amount of \$8,831.20 for work completed on Centennial Park.

**G. Award of Bid For Police Emergency Utility Vehicle (4 x 4)**

The City has solicited bids for the purchase of a 1988 four wheel drive emergency utility vehicle for use by the City Police Department. In order to obtain a 1988 model vehicle and avoid



pricing increases, staff has solicited proposals at this time and is recommending Council award of bid and budget appropriation. The bid results are as follows:

<u>FIRM</u>	<u>AMOUNT</u>
Pete Johnston, Paso Robles	\$16,093.24
Palla Equipment, Paso Robles	16,213.76

In adopting the Consent Calendar, Council approves a budget appropriation of \$16,093.24 and award of bid to Pete Johnson Chevrolet in the amount of \$16,093.24 for the purchase of a 1988 four wheel drive Police emergency vehicle per bid proposed.

**H. Authorization to Advertise For Bids For Sewer Lift Station No. 1 Pump Replacement**

In adopting the Consent Calendar, Council authorizes staff to advertise for bids for Sewer Lift Station No. 1 Pump Replacement (DPW 88-07). This item was approved in fiscal year 1987-88 Capital Improvement Program budget.

**I. Authorization to Advertise For Bids For Pacific Avenue Water Service Relocation Project**

In adopting the Consent Calendar, Council authorizes staff to advertise for bids for Pacific Avenue Water Service Relocation Project (DPW 88-01). This item was approved in fiscal year 1987-99 Capital Improvement Program budget.

**J. Authorization to Advertise For Bids For 12th Street Traffic Signal Replacement**

In adopting the Consent Calendar, Council authorizes staff to advertise for bids for 12th Street traffic signal replacement (DPW 88-02). This item was approved in fiscal year 1987-88 Capital Improvement Program budget.

**K. Authorization to Advertise For Bids For Installation of 21st Storm Drain**

In adopting the Consent Calendar, Council authorizes staff to advertise for bids for the installation of the 21st Street storm drain (DPW 88-04). This item was approved in fiscal year 1987-88 Capital Improvement Program budget.

**L. Approval of Engineering Services Agreement With Tartaglia/Hughes Engineering For Airport Improvement Project**

In adopting the Consent Calendar, Council approves the Airport Improvement Project Engineering Agreement between the City and

Tartaglia/Hughes Engineering. The Agreement provides for engineering services for the construction implementation of a FAA \$400,000 grant. The City's share of the grant will be approximately \$45,000.00 .

**M. Authorization to Advertise For Bids For Alley Reconstruction**

In adopting the Consent Calendar, Council authorizes staff to advertise for bids for alley reconstruction around the Bank of America from Park Street to Spring Street and over to 13th Street. This item was approved in the fiscal year 1987-88 Capital Improvement Program budget.

**N. Approval of Agreement For Negotiations And Labor Consultant Services With Keil and Avery**

In adopting the Consent Calendar, Council approves Agreement with Keil and Avery for negotiations and labor consultant services. The Agreement between the City and Keil and Avery expires May 1, 1988. The proposed Agreement is consistent with the terms and cost of prior Agreements and would be for a period of one year. In addition to negotiation services, the Agreement provides for consultant services in a broad range of personnel matters to include matters of personnel rules and regulations, actions of discipline and grievance.

**P. Award of Bid For Various and Miscellaneous Fire Equipment**

Bids have been received on a per each price for various fire equipment approved for purchase in fiscal year 1987-88 budget. Bids received were received from four (4) suppliers. Based upon the collective cost on the per each low bid, approval of the Consent Calendar approves Purchase Orders to L. N. Curtis and Sons for \$24,378.14, Halprin Supply co. for \$7,653.52, and San Diego Tire Equipment for \$1,575.16 per bid submittal for items as identified in the bid package.

**Q. Deletion of Specified Yellow Curb Zones**

The Traffic Safety Committee, at its meeting of March 16, 1988, considered and is recommending deletion of a designated yellow curb zone (loading) on the north side of 13th Street at Calliope, Accord Lighting and Oak Carpets, and on the east side of Pine Street at General Auto and Pioneer Auto. In adopting the Consent Calendar, Council approves the Traffic Safety Committee's recommendation and authorizes the deletion of the specified yellow curb zones.

**R. Approval of Change Order No. 2 For Wastewater Treatment Plant Expansion Project**

In adopting the Consent Calendar, Council authorizes Change Order No. 2 for a not to exceed amount of \$12,000.00, which provides for

replacement of trash on the construction site with a one-foot thick layer of clay liner to seal off the new drying beds.

**S. Authorization to Solicit Proposals For Operating Pioneer Park Parking Facility During Mid-State Fair**

In adopting the Consent Calendar, Council authorizes staff to seek proposals from interested community groups for operation of Pioneer Park as a parking facility during the 1988 Mid-State Fair. Staff would propose the selection process and criteria be consistent with past practice.

**T. Approval of Progress Payment No. 4 - Spiess Construction Company - Centennial Park/Nickerson Drive Extension Project**

In adopting the Consent Calendar, Council approves Progress Payment No. 4 to Spiess Construction Company in the amount of \$106,392.98.

**Councilmember Cousins discussed Item E. Approval of Additional Cross-Walk and Installation of Right Turn Lane at 1st and Spring Street**

The Traffic Safety Committee recommended that the City Council authorize an additional crosswalk for school children at 17th and 18th Streets, along Spring Street; and to authorize Caltrans to restripe the Spring Street off-ramp to provide for one lane north-bound through traffic and for the second north-bound lane to become a right-turn lane onto the Niblick Road Bridge.

Councilmember Cousins questioned staff as to the ownership of the property to the right of the off-ramp; The Director of Public Works answered that it is owned by the City. Councilmember Cousins pointed out the need to provide a right turn access allowing vehicles to turn right without having to stop. Staff explained that two lanes at that point could be provided at such time as Spring Street is widened to four lanes.

The City Manager advised that a cost estimate for providing such a right turn will be prepared for the Capital Improvement Program budget study.

Motion by Councilmember Martin and seconded by Councilmember Dolan to approve the recommendations of the Traffic Safety Committee. Motion passed by the following roll call vote:

AYES: Dolan, Martin and Russell  
NOES: Cousins  
ABSENT: Ovitt

Councilmember Dolan questioned Item O. Resolution No. 88-26,  
AUTHORIZING SPECIFIED CITY CONTRACTOR ACCESS TO SALES AND USE TAX  
RECORDS

In adopting the Consent Calendar, Council approves an Agreement with Hinderliter, de Llamas and Associates to collect and prepare sales tax data base and adopts Resolution No. 88-26, authorizing access to the sales and use tax records.

Staff explained the different methods of obtaining and identifying the data.

Motion by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously to authorize the Mayor and City Clerk to execute said Agreement.

Motion by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously that Resolution No. 88-26 be read by title only. Said Resolution was read by title only.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously that Resolution No. 88-26 be adopted.

10. The Pre-check Register for April 15, 1988 in an amount of \$402,247.19 was approved upon motion by Councilmember Cousins and seconded by Councilmember Martin. Motion passed by the following roll call vote:

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

11. A memo from the Director of Administrative Services recommended that Council adopt City Policy and Procedure FR-1, regarding required financial statements for franchise rate increases. The Director stated that the following change shall be made to the Policy: "Policy 1. It shall be the policy of the City to require four (4) financial statements and one (1) statistical statement identified as follows:", and wherever the words "operating statement(s)" appear, they shall be changed to read "statistical statement(s)".

Motion by Councilmember Cousins, seconded by Councilmember Dolan and passed unanimously that Policy and Procedure FR-1 be adopted as amended above.

12. A memo from the Director of Administrative Services recommended that Council adopt Resolution No. 88-27, A RESOLUTION APPROVING, AUTHORIZING AND DIRECTING EXECUTION OF CERTAIN LEASE FINANCING DOCUMENTS, APPROVING THE FORM AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT, AN OFFICIAL NOTICE OF SALE AND AN OFFICIAL BID FORM IN CONNECTION WITH THE OFFERING AND SALE OF

CERTIFICATES OF PARTICIPATION RELATING THERETO, AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO. The Director explained that this procedure is a mechanism for financing the Centennial Park project. He explained that ACORN has satisfied \$300,000 of their \$1,100,000 commitment by funding Phase I. Since a large portion of ACORN's share is in pledges to be paid over time, staff has concluded that the best means to proceed now with Phase II would be for the City to finance the project and use ACORN's future collection of pledges to assist in meeting the debt service obligations. Funds currently held by ACORN should be used now to reduce the amount required to be financed.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously that Resolution No. 88-27 be read by title only. Said Resolution was read by title only.

Motion by Councilmember Dolan and seconded by Councilmember Martin to adopt Resolution No. 88-27. Motion passed by the following roll call vote:

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

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously to direct staff to participate with ACORN to work out a specific written understanding as to how they are to meet the remaining funding commitment.

13. A memo from the Community Development Director recommended that the Council approve the recommendation of the Selection Committee to hire QUAD for an amount not to exceed \$110,160 as the consultant to prepare the Borkey Area Specific Plan, and authorize the Mayor and City Clerk to execute the necessary documents.

Councilmember Martin questioned why the fee for the consultant was higher than they had expected based on the cost of the Union/46 Specific Plan. The Director explained that the Borkey Specific Plan covered a larger area, with more traffic impact, and there is a need for study of Airport land use conditions.

The Mayor questioned if there were going to be expenditures appropriated before being budgeted; that he was not sure that it would be appropriate to make such an expenditure at this time.

The City Manager and Director of Administrative Services explained that an account will be set up for expenditures on the Plan; a customer deposit account; there will be no need for an appropriation; the account system will be used to establish what the charges to each lot will be to pay back the City.