

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
JUNE 7, 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: Ovitt, Dolan, Martin, and Russell; Councilmember Cousins being absent.

1. The minutes of the adjourned regular meeting of City Council/Redevelopment Agency on May 11, 1988 the regular City Council meeting of May 17, 1988 and the Special City Council meeting of May 26, 1988 were presented and approved upon motion by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously.

2. Dr. Bob Bryant, representing Heritage Oaks Bank, presented several Oak Tree seedlings to the Council as part of the Bank's program in preserving the Oak tree heritage of the City of Paso Robles.

3. Notices of the following public hearings were published ;for public hearing on June 7th prior to the need for reschedule from this date: GPA 88-01 (A), Rezone 88001-Dickson; GPA 88-01 (B), Rezone 88003 - Halferty; GPA 88-01 (C), Rezone 88004 - Rider; GPA 88-01 (D), Rezone 88002 - Erskine. Staff recommended that the hearings be opened and closed without testimony.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously to open the public hearing. Motion by Councilmember Dolan, seconded by Councilmember Ovitt and passed unanimously to close the public hearing without testimony being received.

4. The Mayor announced that it was the time and place scheduled for a public hearing for the San Luis Obispo County Hazardous Waste Management Plan in response to Assembly Bill 2946 (Tanner). The City Council had previously received a presentation by County staff in a public meeting. Mr. Bob Holden and Ms. Barbara Engel, of the County Division of Environmental Health, were present to respond to any comments received.

The Mayor opened the public hearing; there being no comments received, it was moved by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously to close the public hearing.

Motion by Councilmember Martin and seconded by Councilmember Dolan to approve for State submission, the San Luis Obispo County Hazardous Waste Management Plan. Motion passed by the following roll call vote:

AYES: Martin, Dolan, Ovitt and Russell

Phase I and Phase II, definition of aquifer in relation to Paso Robles aquifer, future demands for San Antonio and Nacimiento water releases in order to prevent salt water intrusion, cost effect to rate users, transportation factors, and, particularly, with regard to the transportation of the ash.

Mr. Pat Mackie presented a letter with his comments regarding the Marport Project.

Staff was directed to redraft the response to Monterey County.

18. There being no further business, it was moved by Councilmember Dolan, seconded by Councilmember Qvitt and passed unanimously to adjourn to 7:00 p.m. on Wednesday, June 15, 1988, for the presentation of the Preliminary Budget for Fiscal Year 1988-89.

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



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

June 7, 1988 at 7:30 p.m.

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

June 15, 1988 at 7:00 p.m. in the Council Chambers, City
Hall, 1030 Spring Street, Paso Robles, California 93446.

DATE: 6-7-88

CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES

BY: Dawn Hudson
Deputy CITY CLERK

NOES: None
ABSENT: Cousins

5. The Mayor announced that it was the time and place scheduled for public hearing of Planned Development 88001/Bonita American - Tract 1506. The City Planner, Ed Gallagher, reviewed the staff report explaining that the Council had denied the development plan in a previous meeting recommending elimination of the 1,175 square foot unit. The applicant has filed, and the Planning Commission is recommending, approval of a PD Amendment application for Phase I which eliminates the 1,175 square foot units and redistributes the other four proposed units.

The Mayor opened the public hearing. Mr. Jack Ghormley, representing Bonita American, advised that they were prepared and intended to comply with all conditions the City Council should require to effect an upgraded development.

Councilmember Dolan introduced discussion of the dimensions of the 20 x 20 foot garage space and pointed out that an upscale development should not allow minimal code dimensions on such garages on all units, regardless of the size of the units.

The Mayor recommended the deletion of the words "in the percentage" from Condition No. 3 of the accompanying Resolution.

Resolution No. 88-38, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES TO APPROVE FINAL DEVELOPMENT PLANS FOR PHASE ONE OF TRACT 1508 (PD 87001, FILED BY BONITA AMERICAN), was presented for consideration.

Motion by Councilmember Martin, seconded by Councilmember Ovitt and passed unanimously that Resolution No. 88-38 be read by title only as amended above. Said Resolution was read by title only. Motion by Councilmember Martin and seconded by Councilmember Ovitt that Resolution No. 88-38 be adopted as amended. Motion passed by the following roll call vote:

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

6. The Mayor called a short recess after which he called the meeting back to order with all members present except Councilmember Cousins.

7. The Mayor announced that it was the time and place scheduled for public hearing of an amendment to Planned Development 87003/Air Capital Corporation - Volumetrics. The City Planner, Ed Gallagher, reviewed the staff report. The proposed amendment would use a combination of split faced block and vertical metal siding on the building located at the southeast corner of Rollie Gates and Airport

Road. The Planning Commission recommended approval of said amendment.

The Mayor opened the public hearing. Mr. Walt McKinley, representing Air Capital Corporation, gave a slide presentation of examples of the elevations of buildings and landscaping proposed for the location at the Airport.

Motion by Councilmember Dolan, seconded by Councilmember Martin and passed unanimously to close the public hearing.

Resolution No. 88-39, A RESOLUTION APPROVING THE AMENDMENT TO PLANNED DEVELOPMENT 87003, was presented for consideration. Motion by Councilmember Ovitt, seconded by Councilmember Martin and passed unanimously that Resolution No. 88-39 be read by title only. Said Resolution was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Ovitt that Resolution No. 88-39 be adopted. Motion passed by the following roll call vote:

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

8. The Mayor announced that it was the time and place scheduled for public hearing to consider revocation of Conditional Use Permit 86001/Club Montage. The City Planner, Ed Gallagher, reviewed the matter explaining that a significant number of conditions have not been completed as prescribed in the CUP approval. The Mayor opened the public hearing.

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

Resolution No. 88-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES TO REVOKE CONDITIONAL USE PERMIT 86001 (CLUB MONTAGE), was presented for consideration.

Motion by Councilmember Ovitt, seconded by Councilmember Martin and passed unanimously that Resolution No. 88-40 be read by title only. Said Resolution was read by title only. Motion by Councilmember Dolan and seconded by Councilmember Ovitt that Resolution No. 88-40 be adopted. Motion passed by the following roll call vote:

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

9. The Consent Calendar was presented; the City Manager pulled Item O., Approval of Subdivision Agreement For Tract 1457/Clouston, advising that the matter had been placed upon the Agenda unnecessarily, having been previously approved.

Mr. Bob Finley, appeared and requested that Item G, A Resolution Establishing No Parking Zone on Creston from Niblick Road, be pulled for discussion.

Motion by Councilmember Ovitt and seconded by Councilmember Martin that the Consent Calendar be approved, together with the findings and recommendations as set forth therein, with the exception of Items G and O. Motion passed by the following roll call vote:

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

Those items on the Consent Calendar are as follows:

A. Minutes of Planning Commission meeting of May 24, 1988

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

B. Minutes of Senior Citizens Advisory Board meeting of May 9, 1988

In adopting the Consent Calendar, the City Council authorizes the expenditure of not more than \$1,600 from the Senior Endowment Fund for the purchase, installation and one year maintenance agreement for a one hundred pound ice machine for the Senior Center, and said minutes are received and filed.

C. Minutes of Traffic Safety Committee Meeting of May 18, 1988

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

D. Minutes of Citizens' Airport Advisory Committee Meeting of May 26, 1988

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

E. Acceptance of Otto Sharp Trust Fund Contributions to Centennial Park Project

The Otto Sharp Trust Committee desires to make contributions towards the construction of Centennial Park as follows: 1) \$175,000 for the Swimming Pool Complex in memory of Barney Schwartz; and 2) \$100,000

for the Recreation Building in memory of Otto Sharp. In adopting the Consent Calendar, Council accepts the above contributions and approves the fund transfer from the Otto Sharp Trust Fund to the Centennial Park Fund in the amounts set forth above.

F. Adopting Resolution No. 88-41, RESCINDING RESOLUTION NO. 88-33 AND APPROVING PLANNED DEVELOPMENT NO. 88002, and Approval of Airport Lease For Parcel 30/Rodman

At the Council meeting of May 17th, the City Council considered and approved Planned Development No. 88002. The Resolution of approval referenced an access easement on property (Parcel No. 29) to the east of Parcel No. 30. With the addition of the 30 feet to Parcel No. 30 from Parcel No. 29, the easement is no longer needed. The new Resolution deletes the non-applicable text and calls for development of the additional 30 feet to City standards. In addition, the City Council reviewed and gave tentative approval to airport lease for Parcel 30, subject to correction to the monthly lease rate reflecting the additional 30 feet. In adopting the Consent Calendar, Council approves Resolution No. 88-41, replacing the previously approved Resolution and approval of Planned Development No. 88002 and approves the lease for Parcel 30 and authorizes the Mayor and City Clerk to execute the necessary documents.

H. Resolution No. 88-42, ESTABLISHING TRAFFIC CONTROL AT THE INTERSECTION OF 7TH STREET AND PINE STREET IN THE CITY OF EL PASO DE ROBLES

The Traffic Safety Committee is recommending the placement of a stop sign on 7th Street at the intersection of Pine Street. In adopting the Consent Calendar, Council approves Resolution No. 88-42, establishing the traffic control at the intersection of 7th and Pine Streets as recommended.

I. Award of Contract to John Wallace and Associates For Engineering Services/Niblick Relief Sewer Main

Three proposals were received for the construction of the Niblick Sewer Relief Main which was included in the 1987-88 Capital Improvement Program. The lowest proposal received was from John Wallace and Associates in the amount of \$12,000.00. In adopting the Consent Calendar, Council awards the contract to John Wallace and Associates in the amount of \$12,000.00.

J. Approval of Progress Payment No. 3 for Wastewater Treatment Plant Expansion/Cushman Contracting Corporation

In adopting the Consent Calendar, Council authorizes Progress Payment No. 3 in the amount of \$359,975.00 and payment of 10% retention (\$39,997.00) to Cushman Contracting Corporation for work completed on the Wastewater Treatment Plant Expansion Project.

K. Approval of Resolution No. 88-43, and Resolution No. 88-44, Accepting Offers to Dedicate Right-of-Way on Creston Road - Parcel Map PR 79-119

Acceptance of said Offer to Dedicate would be consistent with proposed widening for Creston Road and would allow sufficient width to provide for parking across the street from Oak Creek Plaza. Traffic Safety Committee has recommended the widening and placing of base rock to relieve congestion and provide for additional parking at this location. There is also a need for cross walks to be painted at the ingress and egress to Oak Creek Plaza. In adopting the Consent Calendar, Council accepts said Offer of Dedication contained in Parcel Map PR 79-119 and authorizes staff to prepare plans for widening and placement of base rock within the dedicated right-of-way.

L. Approval of Change Order No. 3 For Wastewater Treatment Plant Expansion Project

The proposed change would allow the use of a diesel stand-by generator instead of the natural gas powered engine proposed in the plans with a net cost reduction of \$16,916.00. In adopting the Consent Calendar, Council approves Change Order No. 3 to the Wastewater Treatment Plant Expansion Project.

M. Approval for Hi-Lift Tree Trimming Specification and Authorization to Solicit Bids

In adopting the Consent Calendar, Council approves the specifications included in the Agenda packet, for a new Hi-Lift Tree Trimming vehicle and authorizes the solicitation of bids. The allocation for the purchase of said vehicle is included in the 1987-88 Capital Improvement Program.

N. Approval of Allocation For Removal of Obsolete Fuel Tank at Corporation Yard

Staff recommends removal of said tank before preparation for repaving the Corporation Yard. In adopting the Consent Calendar, Council authorizes the appropriation of an amount not to exceed \$2,000.00 from General Fund reserves for the purpose of removing the surplus diesel tank at the Corporation Yard.

Mr. Bob Finley and two other residents, addressed Item G. Resolution No. , ESTABLISHING NO PARKING ZONE BETWEEN 7:00 A.M. AND 6:00 P.M. ON THE WESTSIDE OF CRESTON FROM NIBLICK ROAD TO OPPOSITE SANTA YNEZ

The Traffic Safety Committee is recommending the establishment of a No Parking Zone between 7:00 a.m. and 6:00 p.m. on the west side of Creston from Niblick Road to opposite Santa Ynez. The Traffic Safety

Committee recommendation is based upon the present and future need for bike lanes along the Creston corridor.

Mr. Finley, and other persons residing on Creston Road, advised the Council that residents of that area desire that the No Parking Zone be removed completely.

After discussion, it was moved by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously to deny said Resolution establishing No Parking Zone and direct staff to prepare a Resolution to be brought back to Council allowing parking with no bike lanes, with the understanding that as future growth demands, there will be consideration of bike lanes at that time.

10. The Pre-check Registers for May 25, 1988 and June 3, 1988 in the total amount of \$836,834.33 were presented and approved upon motion by Councilmember Ovitt and seconded by Councilmember Martin. Motion passed by the following roll call vote:

AYES: Ovitt, Martin, Dolan (abstaining on No. 001456) and
Russell (abstaining on Check No. T00129)
NOES: None
ABSENT: Cousins

11. A memo from the Director of Public Works presented the proposed alignments of Wing Way, Rollie Gates, Taxiway C and Fuselage Way at the Airport and recommended that the Council adopt the revised plan and authorize preparation of a lot line adjustment map and right-of-way abandonment for Rudder Way and Elevator Way.

Motion by Councilmember Ovitt, seconded by Councilmember Dolan and passed unanimously to approve the plan in concept to be sent to the Planning Commission for review and to schedule the abandonment for Rudder Way and Elevator Way.

12. A memo from the Airport Manager recommended that the Council adopt the lease documents for Patroline (Parcels 60 and 61) and Port-A-Port (Parcels 62 and 63) and authorize the Mayor and City Clerk to execute the necessary documents.

The Mayor recommended that Condition 5 contained in the Port-A-Port lease be amended to include "...limited to private aircraft maintenance and storage only."

Motion by Councilmember Ovitt, seconded by Councilmember Martin and passed unanimously to approve the above recommendations incorporating the recommended amendment to Condition 5, in the Port-A-Port lease, and that the documents be subject to the approval of the City Attorney.

13. A memo from the Director of Public Works presented a request for use of septic tank within one mile of the Salinas River from Mr. Daniel Lloyd of EDA Engineering, representing the owner of property located on Union Road at Walnut Drive. The Director of Public Works presented a map depicting the lots in the location which now have septic tanks. The owner has a tentative map submitted to the City for approval at this time and is asking for the interim use of septic tanks at this time, the property to be tied into a sewer line at such time it becomes available. The property consists of two landlocked lots.

Mr. Daniel Lloyd and Mr. Fred Grant, the owner of said property, addressed the Council in support of said request, agreeing to tie into sewer when it becomes available.

Councilmember Ovitt recommended a dryline be installed; Mr. Lloyd stated they would be willing to create an easement for sewer line.

Councilmember Dolan moved to grant the requested waiver in view of the offer that has been made to effect the redesign of the subdivision with the stipulation that one lot not be developed until such time as sewer is available and given the agreement that hook-ups to the sewer system will occur at the time the sewer system becomes available to the lots.

Councilmember Ovitt recommended that the matter be sent back to staff to condition the letter that it be addressed at time of tentative map whether they talk about restrictions on building or easements and setting forth the conditions upon which the authorization for a septic system is based.

Councilmember Dolan withdrew his motion.

Mr. Lloyd agreed to having the matter continued to the next meeting.

Motion by Councilmember Ovitt to refer the matter back to staff to be brought back to Council listing the conditions necessary to provide one necessary easement, potential dry sewer hook-ups and exclusionary building, based upon a 3 lot subdivision with the conditions to be addressed at time of approval of tentative map. Motion seconded by Councilmember Dolan and passed unanimously.

14. The City Planner, Ed Gallagher, reported on the update of the abatement of the nuisance at 1414 Railroad Street stating that necessary conditions have not been met.

The Building Official, Doug Monn, stated that there does not appear to be any occupancy of the building at this time and should the Council agree to this, the matter could be referred to the Planning Department and subsequently, Code Enforcement.

Council directed the Building Department to continue to monitor the the building for another month or two to determine that there is no residential use of the building and that the Code Enforcement Officer and City Attorney get involved to alleviate the outside storage existing at this time.

Motion by Councilmember Martin, seconded by Councilmember Ovitt and passed unanimously that the Building Department continue to monitor the building for sixty days and if the Code and zoning violations are not alleviated within the next thirty days that the staff be directed to contact the Police Department and the City Attorney for issuance of a citation in violation of zoning requirements.

15. Ordinance No. ___ N.S., AMENDING PARKING CODE TO PROVIDE OPTIONAL PARKING LOT DESIGN STANDARDS FOR USE WITHIN THE ORIGINAL SUBDIVISION OF THE CITY (AREA WEST OF THE SALINAS RIVER AND NORTH OF FIRST STREET), was presented for second reading and adoption.

Motion by Councilmember Dolan, seconded by Councilmember Martin 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 Ovitt that this constitutes the second reading and adoption of said Ordinance. Motion failed by the following roll call vote:

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

The Ordinance will come back to the Council for second reading again on June 21, 1988.

16. Ordinance No. 555 N.S., ADDING CHAPTER 9.41, SMOKING PROHIBITED IN CERTAIN AREAS, TO THE PASO ROBLES MUNICIPAL CODE, was presented for second reading and adoption.

Motion by Councilmember Martin, seconded by Councilmember Dolan and passed unanimously that said Ordinance be read by title only. The Ordinance was read by title only.

Motion by Councilmember Martin and seconded by Councilmember Dolan that this constitutes the second reading and adoption of Ordinance No. 555 N.S.

17. Staffs' response to the Draft EIR submitted by the County of Monterey on the Marport project was presented for Council's consideration.

There was discussion that the word "encourage" in Paragraph 1 be changed to a stronger word, the need to further clarify the issue of