

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
NOVEMBER 15, 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 Steve Martin with the following Councilmembers answering roll call: Conway, Dolan, Russell, Reneau and Martin; none being absent.

1. The minutes of the adjourned regular City Council meeting of October 27, and the regular meeting of November 1, 1988 were approved upon motion by Councilmember Dolan, seconded by Councilmember Russell and passed unanimously.

2. AFS (Foreign Exchange) students Luciana Guaranyx, Gottfried Schwarzer and Abdul Quatawneh were introduced and presented with City plaques.

3. The Mayor announced that it was the time and place scheduled for public hearing for the determination of costs and initiation of collection procedures for abatement costs incurred by the City at 1100 Union Road. The matter was reviewed by the Director of Community Development, Bob Lata, and Building Official, Doug Monn.

The Mayor opened the public hearing.

Mr. Ken Allen, owner of the subject property, appeared and stated that he would pay the amount of the costs incurred which was a total of \$2,471.38.

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

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously that Resolution No. 88-93, PROVIDING FOR THE REIMBURSEMENT OF ABATEMENT COSTS (1100 UNION ROAD/ALLEN), be read by title only, as modified to reflect a total cost of \$2,471.38. The Resolution was read by title only.

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to adopt Resolution No. 88-93 as amended.

4. The Consent Calendar was presented. Items IV C, H and I were pulled for discussion. Councilmember Russell requested that Item IV C be placed at the end of the Agenda to allow him further time to review the matter.

Motion by Councilmember Dolan and seconded by Councilmember Reneau to approve the Consent Calendar, together with the recommendations and findings as set forth therein, with the exception of Items IV C, H and I. Motion passed by the following roll call vote:

23. Mr. Jeff Orcutt, representing the Business Improvement Association, requested that Council approve the waiver of parking limit enforcements within the downtown core from November 25 to December 17, 1988.

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to suspend the parking limit as requested with the Business Improvement Association retaining responsibility for providing the proper sign cover and maintaining the coverage through the requested period with removal to occur on December 27th.

24. The City Manager reviewed the request by the Business Improvement Association for Council approval of various requests relative to street closure and event activity for the second annual Old Fashioned Christmas. Staff feels more discussion should be held regarding the closure of Vine Street from Ninth to Twentieth from 7:00 p.m. to 9:30 p.m. on the evening of December 16, 1988.

Jeff Orcutt explained the events to be held.

Following discussion, it was moved by Councilmember Russell, seconded by Councilmember Dolan to accept staff recommendation and authorize the closing of Park Street between 13th Street and the alley, and to authorize "No Parking" on Vine Street from Ninth to Twentieth Street from 6:30 p.m. to 9:30 p.m. on December 16, 1988. Councilman Dolan questioned Jeff Orcutt about liability insurance. Jeff Orcutt is to come back to Council regarding the issue of liability insurance for the BIA. Motion passed unanimously.

25. Consent Calendar Item C. Resolution No. 88-99, APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PASO ROBLES AND THE PASO ROBLES CITY EMPLOYEES' ASSOCIATION LOCAL 817, was presented for consideration. The Memorandum of Understanding provides for salary and benefits for a 24 month period commencing October 1, 1988.

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to read Resolution No. 88-99 by title only. The Resolution was read by title only.

Motion by Councilmember Russell and seconded by Councilmember Dolan to adopt Resolution No. 88-99 as presented. Motion passed by the following roll call vote:

AYES: Russell, Dolan, Conway, Reneau and Martin
NOES: None
ABSENT: None

26. Ms. Carolyn Ragsdale addressed the Council to thank them for receiving the petition in support of the City Attorney.

27. Mr. Tom Taylor, representing Mr. George Chapman, addressed the Council regarding Tract 1396/Indian Oaks, requesting the issuance of a temporary Certificate of Occupation for certain residences within Tract 1396.

Council agreed to consider the matter in the adjourned Council meeting of November 29, 1988.

28. Mr. Neil Olsen spoke in support of the current City Attorney, Michael LeSage, pointing out his historical value to the City.

29. Councilmember Russell commented on press accounts which referenced termination of the City Attorney and which were in error regarding past employments of several Department Heads. Councilmember Dolan supported Councilmember Russell in his comments.

30. There being no further business, it was moved by Councilmember Russell, seconded by Councilmember Reneau and passed unanimously to adjourn to November 29, 1988 at 7:30 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.



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

NOVEMBER 15, 1988 at 7:30 P.M.

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

NOVEMBER 29, 1988 at 7:30 P.M. in the Council Chambers, City Hall, 1030 Spring Street, Paso Robles, California 93446.

DATE: NOVEMBER 16, 1988

CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES

BY: *Dawn Hudson*

DEPUTY CITY CLERK

AYES: Reneau, Russell, Dolan, Conway and Martin
NOES: None
ABSENT: None

Those items on the Consent Calendar are as follows:

A. Authorization to Request Proposals For Auditing Services

The City is completing the final year of agreement with List and Lathrop, Inc., for City auditing services. The present agreement expired June 30, 1988 and covers audit for Fiscal Year 1987-88. In adopting the Consent Calendar, Council authorizes staff to distribute RFP's for auditing services for Fiscal Year beginning July 1, 1988.

B. Approval of Progress Payment to Smith and Smith, Inc., for Geothermal Exploratory Well Drilling Project - DPW 88-10

In adopting the Consent Calendar, Council approves final progress payment No. 2 to Smith and Smith, Inc. in the amount of \$38,430.00 for services in completing DPW 88-10, the Centennial Park exploratory geothermal well. With the payment of Progress Payment No. 2, the grant phase of the geothermal project is complete and within the funding level provided through the State Grant.

D. Resolution No. 88-94, APPROVING WAGE AND COMPENSATION PLAN FOR NON-REPRESENTED CLASSIFICATIONS

In adopting the Consent Calendar, Council adopts Resolution No. 88-94, establishing a wage and compensation plan for 12 months commencing October 1, 1988 for, non-represented and classifications.

E. Resolution No. 88-95, DENYING PLANNED DEVELOPMENT 88003 AND AMENDMENT TO CONDITIONAL USE PERMIT 87031/TROY WEST

The City Council, at its meeting of November 1, 1988, conducted a public hearing to consider an appeal filed by Troy West of the Planning Commission's action to table for six months, the Planned Development 88003 and Conditional Use Permit 87031. The applicant expressed his unwillingness to accept a continuance on this matter and sought Council action. At the conclusion of the public hearing, City Council denied approval of Planned Development 88003 and CUP 87031. In adopting the Consent Calendar, Council adopts Resolution No. 88-95, denying approval of Planned Development 88003 and Conditional Use Permit 87031.

F. Approving Request For Outside Water and Sewer Service/County Parcel 86-199

The City has received a request from a representative of property owner of County Parcel 86-199 requesting City service of water and sewer. This item was removed from the Consent Calendar of the

meeting of November 1, 1988 to review a late submittal by the applicant of a letter from the City dated November 6, 1975. The letter has been reviewed and has confirmed the City's prior agreement with the property owner to provide sewer service and connections in exchange for an easement gained from the property owner in 1974. In adopting the Consent Calendar, Council approves issuance of will service for water and sewer to Parcel 2 of County Parcel Map 86-199 and affirms with this issue that all prior agreements have been satisfied.

G. Approving Change Order No. 2, Progress Payment No. 3 and Payment For Engineering Services For Airport Improvement Project 03-06-0184-06

With the paving portion of the FAA Airport Project now completed, it is necessary to issue a Change Order adjusting the quantities of materials from the Engineer's estimate to the actual used. Pending the final project budget determinations, it is recommended that a Change Order be issued for the painting required on the additional pavement areas. In adopting the Consent Calendar, Council approves Change Order No. 2 in the amount of \$6,073.92 to R. Burke Corporation, approve Progress Payment No. 3 to R. Burke in the amount of \$236,301.55, approve payment for engineering services to Tartaglia/Hughes in the amount of \$10,221.10 and authorize Request For Payment from FAA in the amount of \$221,870.38. Change Order No. 2 has been reviewed and approved by FAA and will be provided for within the Grant award.

J. Authorization For Removal of Oak Tree (Tract 1457-Clouston)

The approved plans for Tract 1457 failed to show an 8 inch oak that is in the way of a necessary driveway that crosses a creek and a second Oak (14 inch) which blocks the alignment for a required culvert for the driveway. In adopting the Consent Calendar, Council authorizes removal of requested trees with the condition that each be replaced with two one and a half inch diameter oaks as required by Ordinance No. 553 N.S.

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to place Item IV C at the end of the Agenda for consideration.

Councilmember Reneau asked questions, which were explained by the City Manager, regarding Item H. **Resolution No. 88-96, APPROVING ADDITIONAL APPROPRIATIONS FOR FISCAL YEAR 1988-89, MAINTENANCE AND OPERATION BUDGET**

The City Council, at its meeting of October 12, 1988, received a staff report and request for additional appropriations to the Fiscal Year 1988-89 maintenance and operation budget. The items presented and contained within the proposed resolution had been presented by

staff for inclusion in this Fiscal Year Capital Improvement budget. It was determined that these items were more appropriate to the operating budget.

Motion by Councilmember Reneau, seconded by Councilmember Dolan and passed unanimously that Resolution No. 88-96 be read by title only. Said Resolution was read by title only.

Motion by Councilmember Dolan and seconded by Councilmember Russell that Resolution No. 88-96 be adopted. Motion passed by the following roll call vote:

AYES: Dolan, Russell, Conway, Reneau and Martin
NOES: None
ABSENT: None

Councilmember Dolan posed questions regarding vans versus station wagons pertaining to Item I. Resolution No. 88-97, AUTHORIZING PURCHASE OF EIGHT PASSENGER VAN, which were clarified by the City Manager.

The City Council, in Fiscal Year 1988-89 budget approved the purchase of a station wagon for use in the City's Senior Citizen program. The station wagon request was made upon the recommendation of the Senior Citizen's Advisory Committee. Subsequent to the budget approval, the Senior Citizens Advisory Committee recommended a change from the station wagon to an eight passenger van. Bids were received from three vendors with the low bid submittal from Palla Equipment in the amount of \$16,395.21. Fiscal Year 1988-89 budget was approved with an appropriation of \$15,000. In adopting the Consent Calendar, Council approves Resolution No. 88-97, authorizing the purchase of a new eight passenger van and awards the bid to Palla Equipment in the amount of \$16,395.21. As reflected in the staff report, the additional amount over the budgeted amount can be absorbed within the existing department budget requiring no additional appropriations.

Motion by Councilmember Dolan and seconded by Councilmember Conway, that Resolution No. 88-97 be read by title only. Motion passed on a 4 to 0 vote with Councilmember Russell abstaining.

Motion by Councilmember Dolan and seconded by Councilmember Conway that Resolution No. 88-97 be adopted. Motion passed by the following roll call vote:

AYES: Dolan, Conway, Reneau and Martin
NOES: None
ABSENT: None
ABSTAINED: Russell

5. The Pre-Check Register for October 4 and 10, 1988 in the amount of \$399,070.67 was approved upon motion by Councilmember Russell and

seconded by Councilmember Dolan. Motion passed by the following roll call vote:

AYES: Russell, Dolan, Conway, Reneau and Martin
NOES: None
ABSENT: None

6. The Director of Public Works reviewed a request from Park Shore, Inc. for a will-serve sewer letter for commercial and industrial zoned lots located at Ramada Drive and Cow Meadow Place, north of Templeton (A.P. 40-151).

Mr. Joseph Terrazas and Mr. Kenneth Volk requested an opportunity to make a presentation showing the kinds of developments the company builds. The Council concurred that they were comfortable with the quality of the developments, and they felt there was no need to receive a presentation at this time.

The Council explained to the applicants that it was up to Templeton Community Services District to allocate the service out of the allotment provided to the District by the City of Paso Robles.

After discussion, it was moved by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to deny the request in favor of an over-all determination of properties serviced or potentially serviced by the interceptor line, with the understanding that the applicant can resubmit the request to Council at a future date.

7. The Mayor called a brief recess after which he called the meeting back to order with all members present.

8. A memo from the Director of Administrative Services recommended that the City Council give consideration to the adoption of a resolution amending solid waste collection fees and the implementation of a semi-automated system for solid waste collection as proposed by Paso Robles Waste Disposal.

Mr. Dale Gomer, of Paso Robles Waste Disposal, displayed the 90 gallon container proposed to be used in the new system.

The City Council ad hoc committee fully supports the implementation of the semi-automated disposal service.

Motion by Councilmember Dolan, seconded by Councilmember Russell and passed unanimously to read by title only, Resolution No. 88-98, A RESOLUTION FIXING FEES AND CHARGES FOR SERVICES RENDERED IN THE COLLECTION AND REMOVAL OF GARBAGE AND WASTE MATTER AND RESCINDING RESOLUTION NO. 88-13, which mandates the use of semi-automated solid waste containers in all newly approved housing tracts. Council

further directed staff to look at minimum sizes of garages and side yards to allow for proper storage of the containers.

Motion by Councilmember Dolan and seconded by Councilmember Russell to adopt Resolution No. 88-98 as set forth above. Motion passed by the following roll call vote:

AYES: Dolan, Russell, Conway, Reneau and Martin
NOES: None
ABSENT: None

9. A memo from the Director of Community Services recommended Council approve Change Order No. 1 in the amount of \$6,514.38 for earth work at Centennial Park - Phase II, for the purpose of building two additional tennis courts.

Motion by Councilmember Russell and seconded by Councilmember Reneau to approve Change Order No. 1 in the amount of \$6,514.38 to Clovis Paving. Motion passed by the following roll call vote:

AYES: Russell, Reneau, Dolan, Conway and Martin
NOES: None
ABSENT: None

10. A memo from the Director of Community Services recommended that Council approve Change Order No. 2 in the amount of \$29,950.00 to move excess dirt to the tennis court area at Centennial Park - Phase II. The Director of Community Services explained that there was a miscalculation made during the design of Centennial Park which shall be corrected.

Motion by Councilmember Russell and seconded by Councilmember Dolan that Change Order No. 2 in the amount of \$29,950.00 to move excess dirt to the tennis court area at Centennial Park - Phase II be approved with the understanding that the miscalculation be corrected and brought back to Council. Motion passed by the following roll call vote:

AYES: Russell, Dolan, Conway, Reneau and Martin
NOES: None
ABSENT: None

11. Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to set a public hearing on December 6, 1988 at 7:30 p.m. in the City Council Chambers for the purpose of considering re-appropriation of revenue sharing funds in the amount of \$209,240.00 from City Hall facilities to the Centennial Park Phase II construction.

12. Ordinance No. ____ N.S., AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF PASO ROBLES AND THE

BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM, was introduced for first reading. (Said Ordinance was approved as an urgency Ordinance by the Council in the meeting of October 12, 1988.)

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to read said Ordinance by title only. Said Ordinance was read by title only.

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

AYES: Russell, Dolan, Conway, Reneau and Martin
NOES: None
ABSENT: None

13. Based upon the interviews held by the City Council in study session on November 9, 1988 for the vacancy on the Parks and Recreation Advisory Committee, nominations were opened.

Ms. Alice Sparrow was nominated; there being no other nominations, the nominations were closed.

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to appoint Ms. Alice Sparrow to the vacancy on the Committee created by the resignation of Tim Davis, for a term which will expire on June 30, 1989.

14. The City Manager announced that the City has been examining the status of its various contracts for services, including the services of the Building Plan Checker. As part of that process, the City Council instructed staff to prepare and submit requests for proposals for Building Plan Check Services. Proposals were submitted by a number of Plan Checkers, including the current individual providing Building Plan review.

Motion by Councilmember Dolan, seconded by Councilmember Russell and passed unanimously to terminate the services of the current Building Plan Checker, effective January 2, 1989, with thanks and appreciation for his many years of service.

Motion by Councilmember Dolan, seconded by Councilmember Russell and passed unanimously to continue the process of review of the proposals submitted.

15. The City Manager announced that the City has been examining the status of its various contracts for services, including the services of City Attorney. As part of that process, the City Council instructed staff to prepare and submit requests for proposals for

City Attorney services. Proposals were submitted by a number of attorneys, including the current City Attorney.

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to terminate the services of the current City Attorney, effective January 2, 1989, with thanks and appreciation for his many years of service.

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to continue the process of review of the proposals submitted.

The City Manager received a petition signed by some concerned citizens in support of retaining the current City Attorney which was read into the record and presented to the City Council for consideration in the selection process.

16. It was moved by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to appoint Councilmember Reneau to San Luis Obispo County's Hazardous Waste Management Commission and to the County's Solid Waste Management Commission.

17. Ordinance No. 566 N.S., AMENDING SIGN REGULATIONS ADOPTED BY ORDINANCE 551 N.S., was presented for second reading and adoption.

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to read Ordinance No. 566 N.S. by title only.

Said Ordinance was read by title only.

Motion by Councilmember Dolan and seconded by Councilmember Russell that this constitutes the second reading and adoption of Ordinance No. 566 N.S. Motion passed by the following roll call vote:

AYES: Reneau, Russell, Dolan, Conway and Martin
NOES: None
ABSENT: None

18. Ordinance No. _____ N.S., AMENDING MUNICIPAL CODE SECTION 2.04.010 REGARDING TIME OF REGULAR MEETINGS OF THE CITY COUNCIL, was introduced for first reading. The Ordinance establishes a new schedule of regular Council meetings which provides for a change from first and third Tuesdays to first and third Mondays of each month, with the hour of convening remaining at 7:30 p.m.

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

AYES: Dolan, Russell, Reneau, Conway and Martin
NOES: None
ABSENT: None

19. The City Attorney requested that the Council consider a waiver of Conflict of Interest in relationship to termination of his contract. The Council advised that it could be considered on the next Agenda.

20. A letter from Mr. Dan Gasiorowski, Chairman of Christmas Outreach, requested Council's permission to use the old Post Office Building for December 16 and 17, 1988 as an assembly area for their annual Christmas basket program.

Staff advised that there would be minor rules that would be required.

Motion by Councilmember Dolan, seconded by Councilmember Conway and passed unanimously to approve said request with the stipulations as set forth by staff

21. Mr. Roger Elkin, Executive Manager of Paso Robles Chamber of Commerce, requested Council approval for the closure of Spring Street from 17th to 14th Street, and 13th at Park Streets, and 12th at Park Streets on Saturday, December 3, 1988, in order to accommodate the annual Christmas Parade route.

Motion by Councilmember Dolan, seconded by Councilmember Russell and passed unanimously to approve the above request as set forth.

22. Mr. Paul E. Clark, of Clark Company, addressed the Council, in support of their letter of request for waiver of the City's bridge fee and City regulations restricting septic systems, for their proposed development of a hangar at the Paso Robles Airport adjacent to Dry Creek Road. The hangar is proposed to be used as a museum for older aircraft.

The City Manager explained that the Council did not have the prerogative to waive the bridge fees. He further explained that the Sewer Operations Code would determine the requirements relating to the use of septic tanks in that area, which would be addressed at the time of the submittal of a Planned Development to the Planning Commission.

Motion by Councilmember Russell, seconded by Councilmember Dolan and passed unanimously to deny the request at this time and direct staff to communicate to Mr. Clark the avenues to be pursued in order to develop the parcel as he desires.