



# City of El Paso de Robles

*"The Pass of the Oaks"*

## MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL APRIL 3, 1989

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 regular meeting of March 20, 1989 were approved upon motion by Councilmember Dolan, seconded by Councilmember Conway and passed unanimously.
2. Proclamation "National Library Week" April 9 - 15 was adopted on motion by Councilman Dolan, seconded by Councilman Russell and passed unanimously.
3. Proclamation "California Earthquake Preparedness Month" April was adopted on motion by Councilman Dolan, seconded by Councilman Russell and passed unanimously.
4. The City Librarian, Ann Martin, introduced Molly Edmondson, coordinator for VISTA Literacy Program, who presented a video of some of the progress being made in the VISTA program activities.
5. The Mayor announced that it was the time and place scheduled for public hearing of Planned Development 88002/Crockett. The development is a 4,408 square foot professional office complex located on the southeast corner of Pine Street and 11th Street. The Director of Community Development explained that Mr. Crockett's request for determination of certain drainage and water improvements was presented to the Planning Commission in public hearing at its meeting of Tuesday, March 28, 1989. Council had directed staff to prepare a Resolution amending the Planned Development as it relates to certain exterior amenities and property line fencing. The Planning Commission recommended that the Council amend the existing conditions of approval to allow for City participation up to 50 percent of the cost of the full storm drain installation (including design and installation of facilities which would extend beyond the project boundaries). Also recommending that the applicant should be required to install the water line upgrade as originally approved, but that the applicant should be eligible to apply for future reimbursement from the developer of vacant property across the street.

There was discussion regarding the different options for cost participation in the requirements to install drainage facilities and water line requirements, with emphasis placed upon whether it was appropriate to require improvement conditions on individual developers to solve a larger, more regional drainage problem.

The Mayor opened the public hearing.

Mr. Charles Crockett addressed the Council requesting relief from the requirements for installation of drainage, water line, masonry fencing and a two year extension of the awning requirement. He presented an example of chain link fencing with vinyl slats which he proposed to use in place of the masonry block wall.

There being no other comments, either written or oral, the public hearing was closed upon motion by Councilman Dolan, seconded by Councilman Conway and passed unanimously.

There was discussion of appropriation for the necessary funds and authorization to go out to bid for a drainage installation from the southwest corner of 11th and Pine Streets to the southeast corner, including the culverts and handicapped access. The elimination of the concrete culverts was also considered.

It was moved by Councilman Dolan and seconded by Councilman Conway to direct staff to bring back the Resolution to approve the Planned Development, with a change to Condition 7 therein, which requires the applicant to replace the drainage system in 11th Street in a manner acceptable to the City Engineer; the Resolution is to include the City's participation from A to B, as depicted on the Map, with the applicant being responsible for B to C or to furnish a bond. The drainage system shall not include the concrete culverts. The City's participation is contingent upon budget funding. Motion passed by the following roll call vote:

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

It was understood that both Resolutions, the Resolution approving revised development plan details for Planned Development 88002 and the Resolution approving Planned Development 88002, are to be brought back for Council consideration.

6. The Consent Calendar was presented. The City Manager advised that Item A, Resolution regarding 1989 weed and rubbish abatement, is tabled. Items B and I were pulled for discussion.

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

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

Those items on the Consent Calendar are as follows:

**C. Authorization to Proceed with Architectural Preparation of Bids and Specifications For Old Post Office and City Hall Remodel**

In adopting the Consent Calendar, Council authorizes the architect to prepare final plans and bid specs for the remodel of the Post Office building and existing city hall

**D. Resolution No. 89- 37, DECLARING CERTAIN ITEMS OF EQUIPMENT AS SURPLUS AND AUTHORIZING THE SALE BY AUCTION**

Included in the Agenda packet as Exhibit "A" to the authorizing Resolution is a list of equipment recommended to be declared surplus and allowed to be sold by auction. The equipment has been inspected and determined to be of non-use. In adopting the Consent Calendar, Council adopts Resolution No. 89-37, declaring certain items of equipment as surplus and authorizing the sale by auction.

**E. Approval of Progress Payment No. 3 to Lee Wilson Electric For 12th Street Signal Modifications**

In adopting the Consent Calendar, Council approves Progress Payment No. 3 in the amount of \$13,258.06 to Lee Wilson Electric for work completed to date on the 12th Street traffic signal. With Progress Payment No. 3, 95% of the contract is completed.

**F. Approval of Progress Payment No. 13 to Cushman Contracting Corporation for Wastewater Treatment Plant Expansion**

In adopting the Consent Calendar, Council approves Progress Payment No. 13 in the amount of \$78,682 to Cushman Contracting Corporation for work completed on the Wastewater Treatment Plant Expansion. With Progress Payment No. 13, 89.4% of the contract is completed.

**G. Award of Bid For Water Master Plan Update**

In response to the City's request for proposals, four engineering firms submitted bids for the preparation of the City's Water System Master Plan. The City Council's consultant selection committee reviewed qualifications of each of the submittals and is recommending the selection of John Wallace and Associates in an amount not to exceed \$30,000. Fiscal Year 1988-89 budget authorized \$30,000. In adopting the Consent Calendar, Council approves execution of the Professional Services Contract with John Wallace and Associates in an amount not to exceed \$30,000 for the preparation of an update to the Water Master Plan.

**H. Approval of Final Parcel Map PR 87-123/Grant**

PR 87-123 is located south of Union Road at Walnut Drive. The Final Parcel Map has been reviewed by staff and is found to technically correct, meeting all conditions of tentative approval. In adopting

the Consent Calendar, Council approves Final Parcel Map PR 87-123 and authorizes execution of the Map.

**J. Resolution No. 89-38, APPROVING AN AMENDMENT TO THE FISCAL YEAR 1987-88 LOCAL TRANSPORTATION CLAIM FUND**

Included in the Agenda packet is a staff memorandum, Resolution of authorization, and audit management letter regarding the City's Local Transportation Fund Claim. In adopting the Consent Calendar, Council approves Resolution No. 8939 amending the Fiscal Year 1987-88 Local Transportation Fund Claim to provide for a re-allocation of \$44,000 from the City Transit Fund to the Streets and Roads Fund.

**K. Resolution No. 89-39, APPROVING AN AMENDMENT TO THE FISCAL 1988-89 LOCAL TRANSPORTATION CLAIM FUND**

Included in the Agenda packet is a staff memorandum and authorizing Resolution to amend the Fiscal Year 1988-89 Local Transportation Fund Claim. If approved, the Resolution would authorize the re-allocation of \$52,000 from the Transit Fund to the Streets and Roads Fund.

**L. Resolution No. 89-40, AN APPLICATION OF REQUEST FOR LAFCO PROCEEDINGS FOR THE ANNEXATION OF THE "INFILL ANNEXATION AREA"**

The City Council, in previous sessions, has given consideration to the initiation of annexation proceedings for the properties in the Union - Golden Hill area known as "Infill Annexation Area". The Resolution before the City Council would initiate the annexation proceedings. Prior to completion of the annexation process, the City Council would conduct a public hearing for purposes of rezoning and to accept any protest to annexation.

In adopting the Consent Calendar, Council approves Resolution No. 89-40, making application requesting LAFCO take proceedings for the annexation of the "Infill Annexation Area".

The following item was presented for discussion by Councilman Russell: **B. Approve Proposal For Preparation of Plans and Specifications For Barney Schwartz Park Development and Authorization of Fund Transfer**

Included in the Agenda packet is a proposal from Mr. Paul Saito for the preparation of working drawings and a preliminary plan for the development of Barney Schwartz Park. As Council is aware, the City has received a State Grant providing for certain improvements to the park property which were conditioned upon the City proceeding with development. In order to comply with the Grant conditions, it is necessary for the City to begin the design for development. Mr. Paul Saito was selected by the City to prepare the City's Parks and Recreation Master Plan and has done previous work for the City's Park System. In adopting the Consent Calendar, Council approves the

proposal for development of plans and specifications for Barney Schwartz Park and authorizes a transfer of \$4,600 from the Spring Street at Niblick Road Beautification Project.

Councilman Russell questioned staff as to the basis for the selection of Mr. Saito, staff explained that Mr. Saito had done previous work for the City on that project, and that there was no need to go out to bid. Councilman Russell requested that a presentation of the Park Master Plan be brought to the Council at a future meeting.

Motion by Councilman Russell and seconded by Councilman Reneau to accept the recommendations as set forth above and approve the plans and specification for Barney Schwartz Park and authorize the transfer of \$4,600 from the Spring Street at Niblick Road Beautification Project. Motion passed by the following roll call vote:

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

The following Item was pulled for discussion by Councilman Dolan:  
1. Approval of EIS 89002, Finding A Negative Declaration For the Development of a City Owned Water Production Well in Barney Schwartz Park

Included in the Agenda packet, is an environmental review of a City initiated development of a water production well in Barney Schwartz Park. The City Council, in its approval of the Fiscal Year 1988-89 budget, authorized the well development. In adopting the Consent Calendar, Council finds no substantial evidence that the proposed project will have significant effect on the environment and adopts a Negative Declaration for this project.

Councilman Dolan questioned the publication of the above-referenced Negative Declaration. Staff explained that a public hearing is not required; that public notice has been given.

Motion by Councilman Dolan, seconded by Councilman Conway and passed unanimously that the City Council finds that, based upon the information contained within the initial study presented, there is no substantial evidence that the project will have a significant effect on the environment, and to adopt a Negative Declaration.

7. The Pre-Check Register for March 22, and 30, 1989, were presented and approved upon motion by Councilman Russell and seconded by Councilman Reneau. Motion passed by the following roll call vote:

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

8. The Fire Chief presented Resolution No. 89-41, AUTHORIZING AND SETTING GUIDELINES FOR AGRICULTURAL BURNS, with attached Exhibit "A", which sets forth the regulations providing for a permitting process, establishes criteria for authorization and approval of the permits, limits the burning to lots of 10 acres or more which serve an agricultural purpose.

Mr. Gerald Craig addressed the Council stating his opposition to any burning being allowed.

There was discussion regarding the City Council being the Hearing Board for any appeals to revocations of a burning permit.

Motion by Councilman Russell, seconded by Councilman Reneau and passed unanimously to adopt Resolution No. 89-41 with an amendment to Exhibit "A" to include under Section 2, Definitions, Item K. "Hearing Board: The Hearing Board will be the City Council of the City of El Paso de Robles"

9. Councilman Russell stepped down at this time citing a conflict in relation to Item VI B on the Agenda, a request for septic tank installation on certain industrially zoned lots (Hill-Parcel Map 86-329).

10. The Director of Public Works presented a request from Mr. Robert Hill for authorization to install a septic tank system to service four industrially zoned lots (Parcel Map 86-329). The site is adjacent to and north of Union Road and south of Golden Hill Road.

The Director explained that a sewer main would be installed in about 18 months in the vicinity, and if the septic system is authorized, the applicant should install a dry sewer line.

The City Attorney recommended a recorded agreement against the property be prepared requiring the applicant to participate in a sewer hook-up at the time it is available.

Mr. Robert Hill, the applicant, addressed the Council in support of his request.

Motion by Councilman Reneau and seconded by Councilman Conway to approve the issuance of a permit for septic tank installation subject to the conditions recommended by staff.

Councilman Dolan questioned the appropriateness of allowing Mr. Hill to install four separate septic systems, one for each parcel, when the adjacent property owner, (Tuley) was required to put in a private sewage disposal system to service his parcels. He believed that Mr. Hill should be required to install the same system as Mr. Tuley, until such time as a sewer is available; the agreement should include

conditions of acquisition of the easements and the recording of the same.

Mayor Martin stated that he had a problem with the clause about "reasonable sewer" with the problem of people working with each other in the area, the City will find itself a year or so down the road with a sewer available but nobody getting to it.

The City Attorney stated that the following issues need to be addressed:

a. The time within which the City would require hookup to the sewer; the time after the sewer is available within which he would be required to connect;

b. If the sewer is available but access easements were not available, that if the applicant did not receive the access easements, then the City would exercise its power of eminent domain and the cost of doing so would be born by the four property owners, which would be in the form of a recorded agreement against the property, if people were purchasing the property, they would know that they would have this cost down line.

c. The time for connection to and abandonment of septic systems after the sewer is available.

The condition was included in the motion that the applicant be required to hookup to the sewer within 120 days after it is available.

The motion was lost by the following roll call vote:

AYES: Reneau and Conway  
NOES: Dolan and Martin  
ABSENT: Russell

Councilman Russell resumed his seat.

11. The Director of Community Services presented the City's Vehicle/Equipment Replacement Policy for Council's consideration of adoption.

After discussion, it was moved by Councilman Russell, seconded by Councilman Dolan and passed unanimously to adopt the policies and procedures for replacement of vehicles and equipment.

12. The City Manager discussed a written communication received from the Chairman of the Planning Commission, Tom Baron, which requested the City Council to actively pursue adequate control of noise from vehicle stereo/music systems; that this type of noise pollution adversely impacts on economic development in Paso Robles.

The Police Chief explained that they could and have taken action to control violations within the limits of the Vehicle Code and the present noise ordinance.

The City Attorney recommended that the noise Ordinance be amended to the extent allowable by the Vehicle Code.

Motion by Councilman Russell, seconded by Councilman Reneau and passed unanimously to refer the Noise Ordinance back to the Planning Commission for review and to draft recommendations to amend the Ordinance with the help of the City Attorney and staff.

13. In response to the Mayor's request for public comments, Mr. Gerald Craig addressed the Council to indicate his cooperation in noise control; he operates an auto stereo shop.

14. Councilman Dolan discussed the status of the tie-down area at the Airport.

15. Councilman Russell questioned staff regarding the status of the Airport and Meadowlark Sewer Mains; he discussed the County's North County Transit Plans, in particular the City's Senior Van program which needs improvement. Staff assured him that they were reviewing the taxi franchise and looking into alternatives and methods to improve the service.

16. Councilman Russell appealed the Planning Commission action in its meeting of March 28, 1989 to Item II. Other Scheduled Matters, Item B. File No. EIS 89001, Applicant Pacific Management and Development, to construct an office building with shared parking within 300 feet. The matter is to be brought before the Council at a future meeting.

17. The Director of Administrative Services reported on the recent water bill "friendly reminders" sent out by the Department. A computer error that appeared on the bills will be corrected in the next mailing of reminders.

18. There being no further business, it was moved by Councilman Russell, seconded by Councilman Reneau and passed unanimously to adjourn to April 10, at 7:00 p.m. in the City Council Chambers for a Study Session.

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

City Clerk, Jerry Bankston