

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
AUGUST 16, 1983

The City Council of the City of El Paso de Robles, meeting in regular session on the above date, was called to order by Mayor Gary E. Stemper at 7:30 p.m. in the City Council Chambers with the following Councilmen answering roll call: Monroe, Ovitt, Russell, Thorndyke and Stemper. Following roll call, there was a short invocation given by Pastor Les Ensley.

1. The minutes of the regular meeting of August 2, 1983 were presented and on motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously said minutes were approved.
2. A memorandum from the Planning Director presented the matter of the General Plan Amendment No. 5, rezone from highway commercial to high density residential, Spring and Park Streets on 34th Street, and recommended approval of Resolution No. 2846, A RESOLUTION APPROVING AND ADOPTING GENERAL PLAN AMENDMENT NO. 5, (NORTH SPRING STREET) AN AMENDMENT TO THE LAND USE ELEMENT. The Planning Director then explained the General Plan Amendment in further detail.

The Mayor announced that it is the time and place scheduled for public hearing on the Amendment No. 5 and opened the hearing to the floor for comments. There being no comments received, either oral or written, the Mayor closed the hearing to the floor.

After further discussion, it was moved by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Resolution No. 2846 be read by title only. Resolution No. 2846 was read by title only. Motion by Councilman Russell and seconded by Councilman Thorndyke that Resolution No. 2846 be adopted. Motion carried by the following roll call vote:

AYES: Councilman Monroe, Ovitt, Russell and Thorndyke
NOES: None
ABSENT: None
ABSTAINED: Councilman Stemper

3. A memorandum from the Planning Director presented an application for appeal to the Planning Commission decision of July 26, 1983, Item 1A, Tract 997 (Maple Heights) signed by Eugene Ernst and Ray Wenger, the fee for said appeal is paid for by Eugene Ernst.

The Council directed that a public hearing be set for 7:30 p.m. on the 6th day of September, 1983 in the City Council Chambers for the purpose of hearing comments from all interested persons on the above appeal, and that notices be sent to all property owners within 300 feet of the above project.

4. It was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that the items on the Consent Calendar be approved, together with the recommendations as set forth therein, The items on the Consent Calendar are as follows:

- G-1 Letter from Assemblyman Seastrand informing that the State Department of Parks and Recreation has awarded the City a grant of \$62,936 for development of a park in the City. (Recommend letter be received and filed with copies to the Director of Parks and Recreation, Finance Director and Director of Municipal Services.)
- G-2 Copies of letters of appreciation from Manager of PG&E to Fire Chief and Director of Public Works for City's response to accidental spill on August 4, 1983. (Recommend letters be received and filed.)
- G-3 Departmental Reports:
- a. Police Department Activity Report for July, 1983. (Recommend report be received and filed.)
5. The Airport Advisory Committee minutes for the meeting of July 28, 1983 were presented. Councilman Ovitt directed that the minutes be amended to include two motions that were made at said meeting, 1) to make an actual right-of-way out of Buena Vista Drive instead of its being a paper street, and 2) that all developers of property adjacent to the drainage swale along Airport Road will be responsible for the grading and landscaping, since the motions would affect the decisions of the Planning Commission in the future.
- It was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that the minutes be approved as amended by the two motions mentioned above.
- The Council directed that a letter of congratulations be sent to Roger Oxborrow on being selected Chairman of the Airport Advisory Committee.
6. The minutes of the Parks and Recreation Advisory Committee meeting of August 1, 1983 were presented. Mention was made of Ms. Georgia Collins being made Chairperson of the Committee and a letter of congratulations is to be sent to her. Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to approve the minutes.
7. The minutes of the regular meeting of the Planning Commission on August 9, 1983 were reviewed by Councilman Russell. A letter from Arciero & Sons requested that Item B. E.I.S. 83020/Arciero & Sons be withdrawn from the minutes. It was moved by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously that the actions of the Planning Commission in its meeting of August 9, 1983, together with the findings and conditions as set forth therein, be approved with the exception of Item B. E.I.S. 83020/Arciero & Sons which is withdrawn and sent back to the Planning Commission for further study.
8. The City Manager presented a Notice to Commence Negotiation For Transfer of Property Tax Revenue from San Luis Obispo County Local Agency Formation Commission for the proposed jurisdictional change of Annexation No. 54 (Sunset Heights) with the proposed percent of annual tax increment to be exchanged of 21.86756 for 1984/85 Fiscal Year. After discussion, wherein Councilman Russell stated that he felt that the City should be able to negotiate a better position on property taxes, that as long as the City provides all of the services, the City should get the majority of the property tax revenue.

Resolution No. 2847, A RESOLUTION ACCEPTING NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE AND ANNUAL TAX INCREMENT FROM THE COUNTY OF SAN LUIS OBISPO TO THE CITY OF EL PASO DE ROBLES, was introduced for Council's consideration.

Motion by Councilman Ovitt, seconded by Councilman Monroe and passed unanimously that Resolution No. 2847 be read by title only. Resolution No. 2847 was read by title only.

Motion by Councilman Ovitt and seconded by Councilman Monroe that Resolution No. 2847 be adopted. Motion carried by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Thorndyke and Stemper
NOES: Councilman Russell
ABSENT: None

9. The City Manager presented a letter from the President of the Paso Robles Republican Women's Club to the Pioneer Museum Directors requesting permission for the use of the Pioneer Museum building for a wine tasting on Sunday, September 25, 1983 from 4:00 p.m. to 7:00 p.m. The City Manager stated that he had contacted Mr. Woody Eschwig, member of the Pioneer Museum Board, who advised that the Museum Directors did authorize the event.

Motion by Councilman Monroe, seconded by Councilman Ovitt and passed unanimously to approve said wine tasting event on a one time only basis, and that the Republican Women's Club must supply to the City an insurance rider naming the City of Paso Robles as an additional insured under the Club's liability policy.

10. A memorandum from the City Manager recommended that the City Council authorize expenditures not to exceed \$20.00 per month for the purchase of coffee which will be opened to the use by City Council members, Planning Commission and the general public attending meetings, in addition to the City staff. The memo explained that in the past the employees had provided the fund.

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that the expenditure be authorized as set forth above.

11. The City Manager presented a memorandum from the Chairman of Pioneer Day Committee requesting the following dates to use the City Council Chambers for Pioneer Day meetings to be held from 8:00 p.m. to 9:00 p.m.: August 31, September 7, 14, 21, 28, October 5 and 12, 1983.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to approve the above request.

12. A memorandum from the Finance Director presented a list of delinquent business licenses for the Council's information.
13. A memorandum from the Finance Director presented a letter from Irving Petersen, Esquire, requesting that Birr, Wilson and Company, Inc., undertake the refinancing of the Orchard Bungalow Assessment District for a potential savings from lower interest rates to parcel owners in the district. This was submitted as an information item.

14. A memorandum from the Finance Director presented a request from the Downtown Merchants Association/Paso Robles Business Committee Chamber of Commerce for City Council approval for purchase of the form waste containers, and a request to terminate City maintenance and gardening of the downtown parking lots and associated landscaping.

After a lengthy discussion, it was moved by Councilman Ovitt, seconded by Councilman Monroe and passed unanimously that the Downtown Merchants Association get together with staff and come back with a recommendation to the Council.

15. A memorandum from the Deputy Director of Municipal Services recommended that the Council declare the following items surplus and authorize the advertising for their sale and disposal: 1976 Chevrolet Chevette - Unit #101, 1976 Ford Sedan - unit #605 and 1972 Chevrolet Sedan - Unit #102.

After a lengthy discussion, it was moved by Councilman Ovitt, seconded by Councilman Monroe and passed unanimously to approve the above recommendations with the exception of the 1972 Chevrolet Sedan - Unit #102, which is to be held as a substitute vehicle.

16. A memorandum from the Director of Municipal Services presented the bid results for the F.A.A. Project No. 3-06-0184-01 for Airport Parking and Lighting and recommending the following:

- a) That the Council accept the grant offer from the F.A.A. in the amount of \$237,415.00 and authorize the Mayor, City Clerk and City Attorney to sign the grant documents;
- b) That the Council award this project to R. Burke Corporation in the amount of \$192,295.00 and authorize the Mayor and City Clerk to sign the appropriate documents;
- c) That the Council approve the attached soils engineering contract for this job and authorize the appropriate signatures.

Councilman Ovitt expressed concern over the height of two poles within the flight pattern and referred to the Airport Advisory Committee's minutes which reflect that the Committee suggested that lower profile security lighting systems be used.

After a lengthy discussion, wherein staff and the Engineer of Work on the project, Glen Hughes, addressed the matter, it was moved by Councilman Ovitt and seconded by Councilman Monroe that the recommendations of the Director of Municipal Services as set forth above be approved and that the matter of the two lighting poles be sent back to the Airport Advisory Committee for further review and possible amendment to the project. Motion passed by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell, Thorndyke and Stemper
NOES: None
ABSENT: None

17. A memorandum from the Director of Municipal Services presented the bid results received on August 9, 1983 for the 2 inch asphalt overlay Project DMS NO. 8307 and recommended that the Council award the bid to Madonna Construction Company in the amount of \$124,084.00 and authorize the Mayor and City Clerk to sign the necessary contract documents.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to approve the above recommendations.

18. A memorandum from the Director of Municipal Services presented the plans and specifications for the construction of the new Thunderbird Well #13, the first project under the Safe Drinking Water Bond Law of 1976 loan, and recommended that the City Council approve the plans and specifications subject to the approval of the City Attorney and the State, and authorize this project to go to bid.

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously to approve the Director's recommendations.

19. A memorandum from the Director of Municipal Services presented the Subdivision Agreement for the development of Tract 1054 - Rivers - and recommended that the final map be approved for Tract 1054 and that the City Council authorize the Mayor and City Clerk to sign the Subdivision Agreement and the map.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that the Director's recommendations be approved.

20. A memorandum from the Director of Parks and Recreation presented a request from the Paso Robles JayCeers to sell beer and wine at Sherwood Park during a tournament on September 11, 1983, and recommended approval of the request based upon the fact that previous alcohol sales have been conducted without incident.

Motion by Councilman Monroe, seconded by Councilman Russell and passed unanimously that the above recommendation be approved.

21. A memorandum from the Director of Parks and Recreation presented a letter from Dick Grove of the Gold Coast Smugglers Softball Team requesting permission to sell beer and wine during this years Labor Day Tournament, and recommended approval of the request.

Motion by Councilman Ovitt, seconded by Councilman Monroe and passed unanimously to approve the above request.

22. The Planning Director requested that a public hearing be set for the rezone of Lots 1, 2 and 7 of Block 206 from C-2 and C-3 to R4 PD. The Council directed that said hearing be scheduled for 8:30 p.m. on the 6th day of September, 1983 in the City Council Chambers.

23. The Planning Director requested that a public hearing be set for the appeal of Booker and Barraza Custom Meats to the Planning Commission decision on July 26, 1983 to Condition No. 1 of E.I.S. 83018. The Council directed that said hearing be set for 7:30 p.m. on September 20, 1983 in the City Council Chambers.

24. There being no further business, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adjourn.

Richard W. Deming
City Clerk

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