

09/13/83

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
SEPTEMBER 6, 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 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 Reverend Jim Lee.

1. The minutes of the regular meeting of August 16, 1983 were presented and on motion by Councilman Monroe, seconded by Councilman Ovitt said minutes were approved.

2. The Mayor announced that it is the time and place scheduled for public hearing for the purpose of hearing comments from all interested persons on the appeal by Eugene Ernst and Ray Wenger to the Planning Commission decision of July 26, 1983, Tract 997 (Maple Heights) and opened the hearing to the floor for comments

A number of interested property owners in the area of the project expressed their disapproval of the development. The main objections were traffic, drainage and whether the subdivision conforms to the Hillside Ordinance. Most felt this was not the site for this type of development. Mr. Ray Wenger and Mr Eugene Ernst were among those speaking against the project. Attorney William Bonnheim and developer Ralph McCarthy responded to the objections.

After further discussion, it was moved by Councilman Monroe and seconded by Councilman Ovitt that the Tentative Map for Tract 997 be extended for another twelve (12) months with an added condition that the subdivision meet all the requirements of the Hillside Ordinance. Motion carried by the following roll call vote:

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

3. The Mayor announced that it is the time and place scheduled for Public Hearing for the Rezone for lots 1, 2 and 7 of Block 206 from C-2 and C-3 to R4 PD. There being no comments received, the Mayor closed the Hearing to the floor. On motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously, Council approved the Rezone.

4. It was moved by Councilman Ovitt, seconded by Councilman Monroe 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 Departmental Reports:

- a. Department of Municipal Services monthly report for July, 1983.

G-2 Communication from Office of Emergency Services regarding Winter Storm Awareness Campaign Workshops. (Recommend communication be received and referred to Fire Chief, Police Chief and Director of Municipal Services).

G-3 Communication from CRWQCB - Central Coast Region - regarding Proposed Amendment to the Water Quality Control Plan, Central Coastal Basin (Basic Plan) for individual community disposal systems. (Recommend communication be received and referred to Director of Municipal Services).

G-4 Quarterly Report of San Luis Obispo Air Pollution Control District. (Recommend Report be received and filed with copies to Engineering and Planning Departments).

G-5 Letter from Board of Trustees, Paso Robles Public Schools, regarding traffic safety on South River Road. (Recommend Letter be referred to Director of Municipal Services).

5. The minutes of the regular meeting of the Planning Commission on August 23, 1983 were reviewed by Councilman Ovitt. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that the actions of the Planning Commission in its meeting of August 23, 1983, together with the findings and conditions as set forth therein, be approved.

6. The minutes of the Adjourned Meeting of the Planning Commission on August 30, 1983, were presented. The City Engineer requested in paragraph 2, the following sentence be deleted: "That all corrections that had been previously requested by the City Engineer, had been corrected and these new grading plans have been accepted by the City Engineer".

Motion by Councilman Ovitt seconded by Councilman Russell the minutes be approved with the correction was passed unanimously.

7. The City Manager presented a letter from Dale Gustin, Attorney for Lennard Livingston, regarding alleged damages to his client's property in connection with the grading that was undertaken on Tract 1084. Motion by Councilman Ovitt and seconded by Councilman Russell that the Council deny the claim. Passed by the following roll call vote:

AYES: Councilman Monroe, Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: None

8. City Manager presented a memo for Council's information regarding the JPA Study on medical insurance costs.

9. A letter from Butterfly Productions was presented requesting approval for an overhead advertising banner to be placed on a street in the City.

It was moved by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously to deny the request.

10. The City Attorney asks Council's approval for the County Attorneys to

continue to represent the City of Paso Robles in the dispute with Southern Pacific over property taxes.

On motion by Councilman Monroe, seconded by Councilman Ovitt and passed unanimously, approval was granted.

11. A memo was presented by the Finance Director requesting approval of the amounts of interest earnings allotted to specific funds from investments last year.

It was moved by Councilman Monroe, seconded by Councilman Russell and passed unanimously that the allocations be approved.

12. The Finance Director presented a request from the Downtown Merchants Association to expend money from the Parking and Business Improvement Area for form waste containers to be placed in various locations in the downtown area and the maintenance of same.

On motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously, the request is approved.

13. Resolution No. 2848, A RESOLUTION APPROVING ISSUANCE OF CREDIT CARD, was introduced for Council's consideration.

Motion by Councilman Monroe, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 2848 be read by title only. Resolution No. 2848 is read by title only.

Motion by Councilman Ovitt and seconded by Councilman Monroe and passed unanimously, that Resolution No. 2848 be adopted.

14. A memo was presented by the Finance Director for Council's review regarding the financial statements for Fiscal Year 1982/1983.

15. A memo from the Finance Director concerning an amendment to the lease purchase agreement between the City and Gelco Leasing Inc. was presented. The amendment requires that no assignment of the obligation nor transfer of title for the building constructed be made. It is recommended the Council authorize the Mayor to sign the amendment.

Motion by Councilman Thorndyke, seconded by Councilman Russell and passed unanimously, that the Mayor be authorized to execute the amendment.

16. The Finance Director presented a memo for authorization to increase the memory capacity of the IBM System 34 from 64K to 128K. This increase will be at a cost of approximately \$1100.00.

On motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously, authorization is given to purchase the increase memory capacity not to exceed \$1200.00.

17. Resolution No 2849, A RESOLUTION TO ESTABLISH A DEFERRED COMPENSATION PLAN, was introduced for Council's consideration.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed

unanimously that Resolution No. 2849 be read by title only. Resolution No. 2849 is read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously, that Resolution No. 2849 be adopted.

18. Memo from the City Librarian is presented requesting increase in the following fines and fees: Children's book fines from 2 cents per day to 5 cents per day; requests within the Black Gold system from 15 cents to 25 cents; outside of Black Gold System 90 cents to \$1.00; lost material \$1.00 to \$2.00.

On motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, the requested fine and fee adjustments be granted.

19. A memo from the City Librarian regarding security at the library is presented with a recommendation to hire a library page to work two evenings a week from 6 to 9 p.m. when there is only one full time staff working those hours. The cost would be under \$1500 and is available from the Sharp Fund. The usefulness of this position would be re-evaluated before the beginning of the next fiscal year.

On motion by Councilman Monroe, seconded by Councilman Russell and passed unanimously, the request is approved.

20. A memorandum from the Director of Municipal Services presenting the bid results for the traffic signal installation at 13th and Paso Robles Streets is presented along with the recommendation that the Council award the Project to Lee Wilson Electric Company in the amount of \$48,785.00 and authorize the Mayor and City Clerk to sign the contract documents.

It was moved by Councilman Ovitt, seconded by Councilman Russell to approve the recommendations of the Director of Municipal services by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell, and Stemper

NOES: Thorndyke

ABSENT: None

21. The Director of Municipal Services presented a memo with the bid results for a pick-up for the Water Department. Councilman Russell steps down. The City Attorney stated that it would be a conflict of interest to award bid to Palla Equipment even though they were the lowest bidder.

It was moved by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously, to hold the bids over for two weeks for additional legal clarification. Councilman Russell resumes his seat.

22. The Director of Municipal Services presents a memo for approval of final parcel map PR 83-087, Paso Robles Investments, and asks that the City Council authorize the Mayor and City Clerk to sign the final map.

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

23. A memorandum from the Director of Municipal Services presenting the

final parcel map PR 83-044, Hill, for approval and City Council's authorization for the Mayor and the City Clerk to sign this map.

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

24. The Director of Municipal Services presented a letter from the Templeton Community Services District requesting additional wastewater capacity. Council recommended to accept the letter and refer it to staff for review and report back to Council at the earliest possible meeting.

25. The Director of Municipal Services presents Change Order No. 1 Airport FAA Project 3-06-0184-01 to lower the light pole heights. There will be no change in contract price due to this change.

On motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously, Change Order No. 1 is approved.

26. The Director of Parks and Recreation presents the bids results for resurfacing the Municipal Pool, with the recommendation that the bid be awarded to Cahill Fiberglass Co., of Sacramento, Ca. in the amount of \$16,800.00.

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

27. A memo and an Ordinance No. 480 N.S., AN ORDINANCE ADDING CHAPTER 2.65 TO TITLE 2 OF THE CITY OF EL PASO DE ROBLES MUNICIPAL CODE ENTITLED, ELECTIONS, is presented for Council's consideration.

It as moved by Councilman Monroe, seconded by Councilman Russell and passed unanimously, that Ordinance No. 480 N.S. be read by title only. Ordinance No. 480 N.S. is read by title only.

On motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously, that this constitute a first reading and adoption of Ordinance No. 480 N.S.

28. Mayor Stemper requests a closed session to discuss personnel matters.

29. There being no further business, on motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, Council adjourned to a closed session.

30. At the closed session, personnel matters were discussed but no official action was taken and upon motion by Councilman Ovitt, seconded by Councilman Monroe and passed unanimously, the closed session adjourned to the regular meeting.

31. There being no further business, it was moved by Councilman Thorndyke, 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.

was taken and upon motion by Councilman Ovitt, seconded by Councilman Monroe and passed unanimously, the closed session adjourned to the regular meeting.

32. There being no further business, it was moved by Councilman Thorndyke , 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.