

City of El Paso de Robles

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
DECEMBER 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; none being absent. Following roll call, there was a short invocation given by Pastor David Atrops.

1. The minutes of the regular meeting of November 15, 1983 were presented and upon motion by Councilman Monroe, seconded by Councilman Russell and passed unanimously, said minutes were approved.

2. It was moved by Councilman Ovitt and seconded by Councilman Thorndyke that the following claims be paid from their respective accounts:

DATE OF CLAIM	TOTAL PAID
Nov. 04, 1983	\$ 216,315.76
Nov. 18, 1983	\$ 437,285.60

Motion passed by the following roll call vote:

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

NOES: NONE

ABSENT: NONE

3. The Mayor announced that it is the time and place scheduled for the continued public hearing for the appeal of Booker and Barraza Custom Meats to the Planning Commission decision of July 26, 1983 to Condition No. 1 of E.I.S. 83018. There being no input from staff, the Mayor opened the hearing to the floor. Dale Gustin, attorney for the appellant, appeared to present the matter, and requested that the City contribute to a portion of the storm drainage that is required by the aforesaid Condition. Mrs. Ellen Weinstein appeared to address the matter. The City Engineer set forth the City's position in regard to storm drainage in the area.

After further discussion, the Mayor closed the hearing to the floor, and asked for comments from the Council members. Councilman Thorndyke stated that after studying the matter for several months, he felt the drainage problem came from property further up the street and that the appellant should not have to pay the full cost of storm drainage, the other Councilmembers stating their support of denying the appeal.

After further discussion, it was moved by Councilman Russell and seconded by Councilman Ovitt to deny the appeal. Motion carried by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell and Stemper

NOES: Councilman Thorndyke

ABSENT: NONE

4. The Mayor announced that it is the time and place scheduled for public hearing of

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a rezone from R-3 to R-3-0 of property located at the Southwest corner of 12th and Olive Streets as approved by the Planning Commission in its meeting of November 8, 1983 in Item 9/A, and opened the hearing to the floor. The applicant, Mr. Al Casper appeared and stated that he had no problem with the rezoning as presented, and asked if the improvements he made to the alley (public property) would be taxed and he was assured that he would not be taxed for improvements he made on public property, only for the improvements that he made on his private property. There being no other comments, either oral or written, the Mayor closed the hearing to the floor.

At this time, Ordinance No. 481 N.S., AN ORDINANCE AMENDING ZONING MAP ESTABLISHED BY REFERENCE IN SECTION 21.12.020 OF THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES, as set forth in the above hearing, was introduced for first reading.

It was moved by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Ordinance No. 481 N.S. be read by title only. Ordinance No. 481 N.S. was read by title only. Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that this constitute the first reading of Ordinance No. 481 N.S.

5. The Consent Calendar was presented and Councilman Russell requested that Item G-9 be removed for discussion. Motion by Councilman Ovitt and seconded by Councilman Monroe that the items on the Consent Calendar with the exception of Item G-9, be approved together with the recommendations as set forth therein, said motion waiving reading of all resolutions and ordinances in full. The above motion was passed by the following roll call vote:

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

NOES: NONE

ABSENT: NONE

The items on the Consent Calendar are as follows:

G-1 Memo from the Finance Director presenting Resolution No. 2880, A RESOLUTION APPROVING SUPPLEMENTAL APPROPRIATION OF THE AIRPORT ENTERPRISE FUND NO. 552 FOR THE FISCAL YEAR 1983/84, for Council's consideration. (Recommend approval of Resolution No. 2880.)

G-2 MINUTES OF COMMISSION/COMMITTEES/BOARDS:

- a. Meeting of Parks and Recreation Advisory Committee on November 14, 1983.
- b. Meeting of Senior Citizens Advisory Board on November 14, 1983.
- c. Meeting of Traffic Safety Commission on November 16, 1983.

(Recommend minutes be received and filed.)

G-3 Memo from Finance Director presenting Resolution No. 2882, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, AUTHORIZING LEASE AGREEMENT AND SIGNATORIES, for Council's consideration, - for purchase of lawn mower, dump truck and dispatcher console. (Recommend approval of Resolution No. 2882 and that the Council authorize the Mayor and

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City Clerk to sign all necessary documents.)

G-4 DEPARTMENTAL REPORTS:

- a. Municipal Services Monthly Reports for September and October, 1983.
- b. Finance Department report of Utility Terminations.
- c. Police Department Activity Reports for September and October, 1983.

G-5 Memo from Director of Parks and Recreation regarding Volunteer Program. (Recommend Council adopt, support, and help promote the Parks and Recreation Volunteer Program.)

G-6 Memo from Finance Director presenting Resolution No. 2883, A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF THE SHARP ENDOWMENT FUND #248, the purpose of which is to qualify the Municipal Library for approximately \$3,200.00 of money from the State via SB 358. (Recommend approval of Resolution No. 2883.)

G-7 Memo from the Director of Municipal Services presenting the Final Parcel Map PR 83-108 - North County Industries. (Recommend said Map be approved and that Council authorize the Mayor and City Clerk to sign the map.)

G-8 Memo from the Director of Municipal Services advising that Gil Hanson has submitted his resignation from the Traffic Safety Commission. (Recommend Council send a letter of appreciation to Gil Hanson for his dedication and time served on the Traffic Safety Commission.)

G-10 Memo from Director of Municipal Services presenting Change Order No. 1, Final Progress Payment No. 2 in the amount of \$15,750 to be paid to Smith & Smith, Inc. for work completed on Thunderbird Well No. 13, and Notice of Completion. (Recommend Council approve Change Order No. 1 and authorize City Engineer to execute same; that final Progress Payment No. 2 in the amount of \$15,750.00 be paid to Smith & Smith, Inc.; and that the City Clerk and the Director of Municipal Services be authorized to execute the Notice of Completion and that the 10% retention remaining on the contract price (\$3,306.05) be returned to Smith & Smith, Inc. 35 days after Notice of Completion is executed.)

G-11 Memo from Director of Municipal Services presenting Progress Payment No. 2 in the amount of \$83,735.73, Final Progress Payment No. 3 in the amount of \$25,943.40 to R. Burke Corporation and the Notice of Completion for Airport Project No. 3-06-0184-01. (Recommend Progress Payments No. 2 and 3 for the total amount of \$109,679.13 be paid to R. Burke Corporation; and that the City Clerk and the Director of Municipal Services be authorized to execute the Notice of Completion and that the 10% retention remaining on the contract price (\$19,210.22) be returned to R. Burke Corporation 35 days after Notice of Completion is executed.)

G-12 Letter from Chairman of Paso Robles Business Committee requesting permission to close Park Street between 12th and 13th Streets for Hospitality Night on December 12, 1983. (Recommend request be granted with copies of letter to Deputy Director of Municipal Services and Police Chief

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for coordination.]

6. Item G-9, Memo from the Director of Municipal Services presenting the bid tabulation for the 5-Yard Dump Truck. [Recommend Council award purchase of the truck from Atascadero Ford for the bid price of \$31,236.08.], was presented for discussion. Councilman Russell stated that he wanted to make sure that everyone in the area that provides this kind of commodity has been notified, and has been given an ample opportunity to bid on it. After discussion, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that a Committee be established consisting of Councilmen Monroe and Ovitt, the Finance Director, and the Director and Deputy Director of Municipal Services to review the matter and come back to Council with a recommendation. A meeting for said Committee is set for Thursday, December 8, 1983 at 2:00 P.M.

7. The minutes of the regular meeting of the Planning Commission on November 22, 1983 were presented and reviewed by Councilman Thorndyke. After discussion, it was moved by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously that the actions of the Planning Commission in its meeting of November 22, 1983, together with the findings and conditions as set forth therein, be approved.

8. The City Attorney was asked to return to Council in its meeting of December 20, 1983 an ordinance which will eliminate exemption of sales tax on gross receipts for sales to operators of water bourn commercial vessels as required by the State Board of Equalization.

9. The City Attorney requested a closed session regarding foreclosure of a note.

10. The City Attorney requested that his services relating to future leases at the Airport be treated as extraordinary work and be considered in the next budget. It was decided that the Airport Advisory Committee discuss this request to determine its affects on the Airport Budget for 1984/85.

11. A memo from the Finance Director presented a request from the Paso Robles Waste Disposal for Council's consideration, and recommends approval of the request effective January 1, 1984.

Upon motion by Councilman Monroe, seconded by Councilman Ovitt and passed unanimously, the Council approved the Finance Director's recommendation for the following increases in the garbage rates:

a. All commercial rates increased by ten (10) percent;

b.

	Residential		
	Current	Proposed	Percent
	Monthly	Monthly	Increase
	Rate	Rate	Rate
1 can at curb	\$ 4.25	\$4.40	3.53%
2 cans at curb	5.75	6.25	8.70%
Housing Authority	5.75	6.25	8.70%
1 can in yard	7.00	7.50	7.14%
2 cans in yard	9.00	9.50	5.56%

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Total

\$31.75

\$33.90

6.77%

12. Upon motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously the meeting was adjourned to a closed session as requested by the City Attorney. At the closed session, there was discussion of possible foreclosure on a note and no official action was taken. Upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously the closed session was adjourned to the regular session.

13. There being no further business, it was moved by Councilman Thorndyke, seconded by Councilman Monroe 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