

City of El Paso de Robles

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
DECEMBER 20, 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 Father Carl Hansen.

1. The minutes of the regular meeting of December 6, 1983 were presented and upon motion by Councilman Monroe, seconded by Councilman Ovitt and passed unanimously, said minutes were approved.

2. The Mayor announced that it is the time and place scheduled for public hearing for Annexation No. 54, Sunset Ridge (Arciero & Sons), and opened the hearing to the floor.

The Planning Director briefly reviewed the project and explained the purpose of the Annexation, that being to receive city services in order to develop the property.

The following persons from the audience asked questions from staff relating to the affect the annexation would have on their property: Jim Gerpheide, Mike Robinson, Al Spang and Pat Eines, and Attorney, Dale Gustin. It was noted that the Council had received a letter of protest to the Annexation from Bernard Glienke. The Mayor closed the hearing to the floor and opened it for discussion by the Council members.

Resolution No. 2881, A RESOLUTION APPROVING ANNEXATION NO. 54, SUNSET RIDGE, was introduced for Council's consideration and adoption. Motion by Councilman Monroe, seconded by Councilman Ovitt and passed unanimously that Resolution No. 2881 be read by title only. Resolution No. 2881 was read by title only. Councilman Thorndyke being a resident in the area, then stepped down. Motion by Councilman Ovitt and seconded by Councilman Russell to adopt Resolution No. 2881. Motion passed by the following roll call vote:

AYES: Councilmen Monroe, Ovitt, Russell and Stemper

NOES: None

ABSTAINED: Councilman Thorndyke

ABSENT: None

Councilman Thorndyke resumed his seat.

3. The Consent Calendar was presented and Councilman Russell requested that Item G-9 be removed for discussion. The Finance Director advised that Item G-7, Memo from the Director of Municipal Services presenting a signed contract with Clagg Roofing of Arroyo Grande for the total amount of \$8,270.00 for the re-roofing of City Hall for Council's information, no action required., be amended to include authorization for the Mayor and City Clerk to sign said contract. Motion by Councilman Ovitt and seconded by Councilman Russell 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, and with Item G-7 amended as stated above. The above motion was passed by the following

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roll call vote:

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

NOES: None

ABSENT: None

The items on the Consent Calendar are as follows:

G-1 Departmental Reports:

a. Finance Department report of utility terminations.

(Recommend Report be received and filed.)

G-2 MINUTES OF COMMISSIONS/COMMITTEES/BOARDS

a. Minutes of Parks and Recreation Advisory Committee meeting of December 12, 1983.

(Recommend minutes be received and filed.)

G-3 Letter from Mrs. Heather Freebairn of Little Acorn Preschool stressing the need for another access between East and West side of Paso Robles. (Recommend letter be received and referred to Director of Municipal Services.)

G-4 Memo from the Director of Municipal Services presenting Grant Deed by Scrivner and Wilson for a portion of land for street purposes, and its accompanying Resolution No. 2884, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, ACCEPTING GRANT DEED. (Recommend the City accept said Grant Deed and consent to its recordation, and that Resolution No. 2884 be adopted.)

G-5 Memo from Director of Municipal Services presenting Final Map and Subdivision Agreement, Tract 958 - Massey. (Recommend that said map be approved and that the City Council authorize the Mayor and City Clerk to sign the Subdivision Agreement and map.)

G-6 Memo from Director of Municipal Services presenting the Final Map and Subdivision Agreement, Tract 1143 - Bonita Homes. (Recommend that the final map for Tract 1143 be approved and that the City Council authorize the Mayor and City Clerk to sign the Subdivision Agreement and map.)

G-7 Memo from Director of Municipal Services presenting a signed contract with Clagg Roofing of Arroyo Grande for the total amount of \$8,270.00 for the re-roofing of City Hall for Council's information, no action required.

G-8 Memo from Director of Municipal Services presenting final Parcel Map PR 83-242 - Cagliero. (Recommend Final Parcel Map be approved and that the City Council authorize the Mayor and City Clerk to sign said map.)

G-10 Presentation of Ordinance No. 481 N.S., AN ORDINANCE AMENDING ZONING

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MAP ESTABLISHED BY REFERENCE IN SECTION 21.12.020 OF THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES. (Recommend Ordinance No. 481 N.S. be read for the second time and adopted.)

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 Ovitt reported on the results of the meeting of the Committee appointed to review the bid. Councilman Russell stated his belief that the use of the truck did not require a diesel motor, thus reducing the cost by \$6,000. After further discussion, it was moved by Councilman Monroe, and seconded by Councilman Ovitt to accept the bid and the recommendations and authorize the purchase of said truck. Motion failed by the following roll call vote:

AYES: Councilmen Monroe and Ovitt

NOES: Councilmen Russell, Thorndyke and Stemper

ABSENT: None

It was then moved by Councilman Russell and seconded by Councilman Thorndyke that staff advertise for bids for a five yard gas engine dump truck with clarification on specifications in the bid, and to reject all previous bids. Motion passed by the following roll call vote:

AYES: Councilmen Russell, Thorndyke and Stemper

NOES: Councilmen Monroe and Ovitt

ABSENT: None

4. The minutes of the regular meeting of the Planning Commission meeting of December 13, 1983 were presented and reviewed by Councilman Monroe. Item D. USE PERMIT 83047/Hovey was pulled out for discussion by Councilman Monroe. The applicant, Steve Hovey, appeared to object to Conditions 4. and 5. After further discussion, it was moved by Councilman Monroe and seconded by Councilman Russell that Use Permit No. 83047/Hovey be pulled from the Planning Commission Minutes and be sent back to Master Planning for further study as to what the planning should be for Union Road relating to residential and commercial uses. Motion passed by the following roll call vote:

AYES: Councilmen Monroe, Ovitt and Russell

NOES: Councilmen Thorndyke and Stemper

ABSENT: None

It was then moved by Councilman Russell and seconded by Councilman Ovitt that the actions of the Planning Commission in its meeting of December 13, 1983, together with the findings and conditions as set forth therein, be approved, with the exception of Item D. Use Permit 83047/Hovey, as set forth above, with the typographical error on Page 7, Item B. E.I.S. 83032/Harrison corrected (83024 changed to 83032 and Wilpete Farms changed to W. Harrison), and with Councilman Monroe abstaining from the motion relating to Item 4. New Business A. Use Permit 83041/Monroe Equipment. Motion carried by the following roll call vote:

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AYES: Councilmen Ovitt, Russell, Thorndyke and Stemper

NOES: NONE

ABSTAINED: Councilman Monroe

ABSENT: NONE

5. The City Manager, Richard W. Deming, advised that an Emergency Response Plan would be brought back to the Council at the next Council meeting.

6. The City Manager presented the matter of the request of Mr. Eugene Chiado for outside water service. Mr. Chiado appeared to give a historical review of his project. After a lengthy discussion, the Mayor appointed a Committee of Councilmen Thorndyke and Monroe to investigate the matter and come back to Council with the results.

7. The City Manager presented two claims against the City, Godinez and Alvarez, and recommended that Council deny them. Motion by Councilman Russell and seconded by Councilman Thorndyke to deny the claims since they did not pertain to the City.

8. The City Attorney requested a closed session to discuss legal and personnel matters.

9. Ordinance No. 485 N.S., AN ORDINANCE TO AMEND ORDINANCE NO. 208 N.S. AND ORDINANCE NO. 358 N.S. IMPOSING A SALES AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION, is introduced for first and second readings and adoption, this being allowable for sales tax revenue purposes.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, that Ordinance No. 485 N.S. be read by title only. Motion by Councilman Monroe, seconded by Councilman Ovitt and passed unanimously that this constitute the first and second readings and that Ordinance No. 485 N.S. is adopted.

10. Ordinance No. 484 N.S., AN ORDINANCE AMENDING TITLE 7 OF THE CITY OF EL PASO DE ROBLES MUNICIPAL CODE BY ADDING CHAPTER 7.30 THERETO RELATING TO THE UNDERGROUND STORAGE OF HAZARDOUS SUBSTANCES, is introduced for first and second readings and adoption, as an urgency measure.

Motion by Councilman Monroe, seconded by Councilman Russell and passed unanimously that Ordinance No. 484 N.S. be read by title only. Ordinance No. 484 N.S. was read by title only.

Motion by Councilman Russell and seconded by Councilman Monroe that this constitute the first and second readings of Ordinance No. 484 N.S. and that Ordinance No. 484 N.S. be adopted. Motion passed by the following roll call vote:

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

NOES: NONE

ABSENT: NONE

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Motion by Councilman Russell and seconded by Councilman Ovitt that the Council makes the finding that an urgency measure exists for the adoption of Ordinance No. 484 N.S. by the end of the year. The motion was passed unanimously.

11. The minutes of the Airport Advisory Committee meeting of December 8, 1983 were reviewed by the Airport Manager.

After a lengthy discussion regarding Item 2. regarding the request of Oasis Petroleum to sell its lease to UCO Air, it was moved by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously to approve the minutes of the above meeting with an amendment to Item 2. that the lease assumption by UCO Air be in concept only, subject to approval by the Finance Director, the City Attorney and final approval by the Council, after adequate background checks and a presentation by UCO Air on their proposal for the use of said property for the remainder of the lease.

12. The Chief of Police reported on the progress of the second Police Dog. She is not working out and that after the first of the year, she will be traded for another dog. The organization which provides the dogs guarantees satisfaction.

13. Councilman Thorndyke requested permission to leave the state on December 31, 1983 and January 1 and 2, 1984, and received it.

14. Upon motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously the meeting was adjourned to a closed session to discuss legal and personnel matters.

In the closed session, the City Attorney discussed legal and personnel matters with no official action being taken, and upon motion by Councilman Monroe, seconded by Councilman Ovitt, the closed session was adjourned to the regular meeting.

15. There being no further business, the meeting was adjourned upon motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously.

Deputy City Clerk, Dawn Hudson

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