

City of El Paso de Robles

MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL JULY 17, 1984

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 Councilpersons answering roll call: Cousins, Ovitt, Russell, Thorndyke and Stemper; none being absent. Following roll call, a brief invocation was given by Reverend Les Allen.

1. The minutes of the regular meeting of July 3, 1984 and the Special meeting of July 10, 1984 were presented and upon motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously, the minutes were approved.

2. The Mayor announced that it is the time and placed scheduled for public hearing of an appeal by John Linn, Goodyear Tire Center, to the Planning Commission decision regarding Use Permit No. 84017/Goodyear Tire - Sign at 13th and Riverside Streets. The City Manager presented a brief background of the matter. The Mayor opened the hearing to the floor. Nick Gilman addressed the matter in the absence of the appellant. Since the appellant did not arrive, it was moved by Councilman Thorndyke, seconded by Councilman Russell and passed unanimously to continue the hearing until 9:00 p.m.

3. The Agreement for Animal Control Services between the City and the County of San Luis Obispo is presented. After a lengthy discussion wherein Pat Mackey of Paso Robles Boarding Kennel, and Ellen Weinstein appeared to address the matter, it was moved by Councilman Thorndyke, seconded by Councilwoman Cousins and passed unanimously that Item 11. Term and Renewal, be amended as follows: The effective date of the Agreement shall be the First day of July, 1984 and the termination date shall be the 31st day of December, 1984 instead of June 30, 1985, and that Item 16. Deficits, be amended as follows: The amount of \$19,184.00 be changed to \$10,000.00.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, that the Mayor and City Clerk be authorized to sign said Agreement as amended.

4. At this time, John Linn of Goodyear Tire, arrived and the hearing opened at 7:30 p.m. was continued. Mr. Linn presented the Council with several pictures of signs that the City has approved for freeway use as examples for supporting his appeal to Use Permit No. 84017/Goodyear Tire, Inc.

After discussion, it was moved by Councilwoman Cousins and seconded by Councilman Thorndyke that Mr. Linn's request for a free standing sign 15 feet by 3 feet and 12 feet high be approved as to concept but must go back to the Architectural Review Committee of the Planning Commission for architectural approval. Motion carried by the following roll call vote:

AYES: Councilpersons Cousins, Russell, Thorndyke and Stemper

NOES: Councilman Ovitt

ABSENT: None

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to

*Amended in Item 14.
Minutes 3 Oct. 16, 1984*

de Robles
10/15/87

for appropriate signatures on all necessary
the City Manager's recommendations.
Councilwoman Cousins and seconded by Councilman Ovitte to
the Council approve all of the
the City Manager requested that a hearing be set for November
Cousins, Ovitte, Russell, Thorndyke and
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the City Manager requested that a hearing be set for November

11. The City Manager requested that a hearing be set for November
6, 1984 at 8:00 p.m. for motel owners to appear regarding motel
sewer rates. Motion by Councilman Ovitte and
passed unanimously approving the above hearing and directing that
#204 FOR FISCAL YEAR 1984-1985, to appropriate funds for costs
associated with Airport Taxiway project #3-06-0184-02.
Resolution No. 2959 be read by title only.
12. A memo from the Finance Director presented Resolution No. 2959
#204 FOR FISCAL YEAR 1984-1985, to appropriate funds for costs
associated with Airport Taxiway project #3-06-0184-02.
Resolution No. 2959 be read by title only.
13. A memo from the Assistant City Engineer presented Resolution
AND MAINTENANCE OF SEWER AND DRAINAGE FACILITIES, (a grant of
basement executed by Arciero & Sons, Inc., granting a portion of
Lot 22 of the Subdivision of Olive Park Tract) for Council's
consideration. Motion by Councilman Ovitte and
passed unanimously that Resolution No. 2960 be read by title only.
14. A memo from the Planning Director presented a request by Mr.
John Linn of Goodyear Tire Store for clarification of the Council
meeting minutes of July 17, 1984 regarding Use Permit No. 840
Mr. Linn requests that he be permitted to erect a sign on
feet in overall height (12 foot pole and 4 foot wide sign above
passed unanimously accepting the modification requested
minutes to be represented as set forth above.
15. The City Attorney requested
Motion by Councilman Russell, seconded by Councilman Ovitte and
passed unanimously accepting the modification requested
minutes to be represented as set forth above.

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close the public hearing.

5. 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, said motion waiving reading of all resolutions and ordinances in full, and that Item No. G-2 be read in its entirety. The Items on the Consent Calendar are as follows:

G-1 Notice from Greyhound Lines, Inc. of application filed with PUC seeking rate increase. (Recommend Notice be received and filed.)

G-2 Letter of appreciation from the Department of California Highway Patrol commending Officers Tarwater, Hamers and Steenport for assistance at a recent accident. (Recommend letter be received, read and filed.)

6. The minutes of the Planning Commission adjourned meeting of July 10, 1984 were presented and upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, said minutes were approved.

7. The minutes of the regular meeting of the Planning Commission on July 10, 1984 were reviewed by Councilman Russell. Councilman Russell withdrew Item G. EIS 84013/Riverglen for discussion of Condition 13, "That there be no construction on this project until an alternate crossing of the freeway and Salinas River is completed." Ed King, the representative for the applicant, appeared to review the matter and requested that the Council appoint two members of the City Council and two members of the Planning Commission in an effort to discuss some of the Conditions placed on the project by the Planning Commission.

Councilman Ovitt moved to put together a committee to hold a joint meeting with two members of the Council and two members of the Planning Commission to set policy. Motion seconded by Councilwoman Cousins. Motion failed by the following roll call vote:

AYES: Councilpersons Cousins and Ovitt

NOES: Councilmen Russell, Thorndyke and Stamper

ABSENT: None

The City Manager pointed out for clarification to the Council that this is an environmental impact assessment. He stated that originally, the staff recommended a focussed environmental report. However, the applicant agreed he could provide studies which would give the City information they needed to determine the environmental impacts. This was approved by the Council. The Manager also pointed out that it is the City's responsibility to determine what environmental impacts will be as well as mitigating measures. He does not feel that those types of things are something that can be negotiated with the developer. City Attorney stated that a project of this magnitude would ordinarily require an environmental impact report.

After further discussion, it was moved by Councilman Russell that Item B. EIS 84013/Riverglen, be removed from the Planning Commission minutes and be sent back to a Committee of two Councilmen and two Planning Commissioners, and that Condition #13 be deleted. Motion carried by the following roll call vote:

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AYES: Councilmen Russell, Thorndyke and Stemper

NOES: Councilpersons Cousins and Ovitt

ABSENT: None

Councilman Russell withdrew Item 5. A. MEMOS RE: Annual Use Permit Reviews (2) for discussion. The City Manager reviewed the matter. The Planning Commission recommended that the following Use Permits be forwarded to the City Council for their revocation: Horizon Child Care Center, Jerry Reneau, Michael Tonks (Apartment House) and L. Lewin.

After a lengthy discussion it was moved by Councilman Russell and seconded by Councilman Thorndyke that the Use Permits be set for public hearing as set forth herein: Horizon Child Care Center, 7:30 p.m. on August 21, 1984; Michael Tonks, 7:45 p.m. on August 21, 1984; Jerry Reneau, 7:30 p.m. on October 2, 1984 and L. Lewin, 7:30 p.m. at the first meeting in January, 1985. All other Use Permit recommendations were to remain as recommended. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: None

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that the actions of the Planning Commission in its meeting of July 10, 1984 be approved, together with the findings and conditions as set forth therein, with Item B. EIS 84013/Riverglen being sent back to the aforementioned Committee, and with the removal of Condition 13.

8. The minutes of the regular meeting of the Senior Citizens Advisory Board of June 11, 1984 were presented and approved upon motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously.

9. The minutes of the Citizens Airport Advisory Committee meeting of June 28, 1984 were presented and approved, with the correction that Committee member, Paul Ogren, arrived later, upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously.

10. The minutes of the Parks and Recreation Advisory Committee were presented and approved upon motion by Councilwoman Cousins, seconded by Councilman Russell and passed unanimously.

11. A memo from the Finance Director presented Resolution No. 2925, A RESOLUTION SETTING MINIMUM REQUIREMENTS FOR BONDING COMPANIES, which sets a policy that City staff is instructed to accept bonds only when issued by a casualty insurance company having an A or A+ rating; and that the rating system to be used for the purpose of complying with this resolution is the Best's Key Rating Guide (Property and Casualty).

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 2925 be read by title only. Resolution No. 2925 is read by title only. Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 2925 be adopted.

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12. A appeal by Associated Professions, Inc. to the Planning Commission decision on Item B. EIS 84103/Riverglen of the meeting of July 10, 1984 is presented. The applicant requested that the matter be continued until the meeting of August 7, 1984 to be set for public hearing at that time.

13. A memo from the Airport Manager reviewed the proposed expansion of the Citizens Airport Advisory Committee, and recommended that the Committee be left as it exists with the recommendation that Duane Gouze and Frederick Minton be appointed, and that Toby Green and Paul Wyckoff be appointed as first and second alternates or as full members, at the pleasure of the Council.

After a lengthy discussion, it was moved by Councilwoman Cousins, seconded by Councilman Ovitt and passed unanimously that the Committee be comprised of seven (7) voting members including one (1) Councilperson and one (1) Planning Commissioner as voting members.

At this time, Councilman Thorndyke steps down. (Applicant, Paul Wyckoff is a business partner of Councilman Thorndyke's).

Motion by Councilwoman Cousins to appoint Rick Minton and Hugh Earley to two year terms on the Committee, and Toby Green to full time. The motion died for a second.

Motion by Councilman Russell and seconded by Councilwoman Cousins that Committee members be appointed as follows:

Hugh Earley	Two year term	Expires June 30, 1986
Rick Minton	Two Year term	Expires June 30, 1986
Paul Ogren	One Year term	Expires June 30, 1985
Paul Wyckoff	One Year term	Expires June 30, 1985
Toby Green	One Year term	Expires June 30, 1985
(Alternate)		

Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell and Stemper

NOES: None

ABSENT: None

ABSTAINED: Councilman Thorndyke

Motion by Councilwoman Cousins, seconded by Councilman Ovitt and passed unanimously that an appropriate letter be sent to Duane Gouze for his eleven years of dedicated service to the Airport Advisory Committee.

Councilman Thorndyke resumes his seat.

14. A memo from the Finance Director presented the 1982/83 Audit for the City stating that this is the City's first "clean" unqualified audit and recommending that the Council accept said audit report.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to

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accept the 1982/83 Audit.

15. A memo from the Finance Director reported on the preliminary Bridge Survey responses.

16. A memo from the Finance Director presented a request from the Otto Sharp Endowment Committee requesting that \$8,000.00 be transferred from the Otto Sharp Fund #403 into the Seniors Otto Sharp Endowment Fund #401.

Motion by Councilman Russell and seconded by Councilman Thorndyke that the above request be granted. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: None

17. A memo from the Sharp Selection Committee requests Council to authorize expenditures from Account No. 403 for interest payments to Heritage Oaks Bank for monthly allocations on the borrowing of \$300,000.00 against the Sharp note for ACORN to purchase a site for Library, parks and recreation building and a center for the arts.

Councilwoman Cousins steps down, stating that she is the Chairman of ACORN.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that a Committee be appointed to meet with the parties involved, said Committee to be comprised of Councilmen Ovitt and Stemper, members of staff as needed, members of ACORN and Sharp Committee and Heritage Oaks Bank.

Councilwoman Cousins resumes her seat.

18. A memo from the Finance Director presented Resolution No. 2927, A RESOLUTION APPROVING AN APPROPRIATION OF THE SB 358 STATE LIBRARY FUND #205, which appropriates \$1,347.00 of SB 358 Special Library Funds be carried over to the next fiscal year.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 2927 be read by title only. Resolution No. 2927 is read by title only. Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to adopt Resolution No. 2927.

19. A memo from the Director of Municipal Services presented a Grant of Easement from Glenn and Kathleen Gaultney to the City granting a portion of land for the purpose of constructing, maintaining, repairing and operating a water line, and recommending that the Council authorize the Mayor and City Clerk to adopt Resolution No. 2926, A RESOLUTION ACCEPTING CERTAIN PROPERTY FOR AN EASEMENT IN THE CITY OF EL PASO DE ROBLES, and requesting consent for recordation of said documents.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 2926 be read by title only. Resolution No. 2926 is read by title only. Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to adopt Resolution No. 2926.

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20. A memo from the Director of Municipal Services recommended that, subject to obtaining the necessary grant and FAA approval, the Council award Airport Improvement Project No. 3-06-D184-02 to Granite Construction in the amount of \$606,832.00 and authorize the Mayor and City Clerk to sign contract documents.

Motion by Councilman Russell and seconded by Councilman Ovitt to award said bid to Granite Construction in the amount of \$606,832.00 and authorize the Mayor and City Clerk to sign said documents. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: None

21. A memo from the Director of Municipal Services recommended that the City Council authorize the payment of Progress Payment No. 1 in the amount of \$41,751.45 to Kies Construction for work completed on the Barney Schwartz Park 12" Water Main, DMS Project No. 84-02.

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

22. A memo from the Director of Parks and Recreation recommended that Haycrest Softball Club be allowed to sell beer at Robbins Field August 17-19, 1984 during a tournament.

Motion by Councilman Ovitt and seconded by Councilwoman Cousins to approve said request subject to proof of liability in the amount of \$1,000,000.00. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt and Stemper

NOES: Councilmen Russell and Thorndyke

ABSENT: None

23. A letter from the Pioneer Day Committee requested the use of the Council Chambers for their weekly meetings prior to and following Pioneer Day to be held from 8:00 p.m. to 9:00 p.m. on the following days: September 5, 12, 19, 26, October 3, 10, and 17, 1984.

Motion by Councilman Cousins, seconded by Councilman Ovitt and passed unanimously to approve said request.

24. Proclamation XXIII OLYMPIAD - LOS ANGELES, CALIFORNIA 1984 is approved and authorization for the Mayor to present same to the City of Bakersfield upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously.

25. A notice from the Office of the County/Clerk Recorder is presented for information advising of deadline for receiving resolutions calling and consolidating any election and placing measures on the November 1984 ballot is July 19, 1984.

25. There being no further business, it is moved by Councilman Ovitt, seconded by

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Councilman Russell and passed unanimously to adjourn.

City Clerk, John R. McCarthy

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