

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
AUGUST 21, 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, Stemper, Thorndyke; none being absent. Following roll call, a brief invocation was given by Reverend Jim Voth.

1. The minutes of the regular meeting of August 7, 1984 were presented and upon motion by Councilman Russell, seconded by Councilman Thorndyke, and passed unanimously, the minutes were approved.
2. The Mayor announced and opened the Public Hearing regarding Use Permit #83009/New Horizon Child Care Center. Staff presented a report on this item noting that conditions had not been met to date. A spokesman from the Center came forward to state that they could not comply with the conditions. After discussions it was motioned by Councilman Russell, seconded by Ovitt and passed unanimously to close the public hearing.

A motion by Councilman Russell, seconded by Councilman Thorndyke to revoke the license of the New Horizon Child Care Center due to lack of compliance. The motion was passed unanimously.

3. The Mayor announced and opened the Public Hearing regarding revocation of Use Permit #77038/Michael Tonks. There were no public comments. Motion by Councilman Russell and seconded by Councilman Ovitt to close public hearing, it was passed unanimously. Staff presented a report on this item recommending that the concrete alley approach condition #3 be deleted.

Motion by Councilwoman Betty Cousins, seconded by Councilman Russell to remove condition #3 of Use Permit #77038. The motion was carried with Councilman Ovitt voting no.

4. A motion was made by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adjourn to a closed Session regarding employee negotiations.

5. In the closed session, employee negotiations were discussed by Council. Upon motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously the closed session was adjourned back to the regular meeting.

6. The Mayor announced it was the time and place for continuance of the Public Hearing on E.I.S. No. 84103/Riverglen. Staff made a brief report on the meeting of July 26 and presented recommendations. The Mayor opened the public hearing. Ed King representing the applicant's spoke regarding modification of the conditions. Councilman Ovitt stated that the impacts of sewer cannot be ignored as requested by the applicant. Jack King, applicant, stated that condition #11 should be deleted but that

they were not requesting nor did they expect any reserved sewer capacity for their project. Mr. Merle Miller and John Emory also addressed the issues. Upon motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously, the public hearing was closed. After discussion it was moved by Councilman Russell and seconded by Councilman Thorndyke that after examination of Environmental Impact Statement No. 84013 submitted by San Luis Enterprises, and after review of the Environmental Coordinators recommendations and the attached Statement of Reasons supporting his findings, find that this project will not have a significant effect on the environment and issued a negative declaration status, subject to eleven conditions as follows:

- 1) That a master grading plan be submitted for the cluster and multi-family area;
- 2) That the scope of the commercial/industrial project be reduced in order to mitigate the extensive grading impact and traffic impact. The use of the commercial/industrial area in order to mitigate grading and traffic issues be controlled by use of a PD overlay;
- 3) That there be two means of ingress and egress from the cluster housing area as approved by the Fire Chief and City Engineer;
- 4) That any connection to North River Road be designed and constructed in accord with the Soils Report;
- 5) Installation of a Traffic Signal at Creston and River Roads as approved by the City Engineer;
- 6) To mitigate the 13th Street Bridge impacts, bridge fees shall be paid as per the Annexation Agreement;
- 7) Full street improvements shall be constructed on the North side of Union Road, full street width paving and AC berm on the South side for the length of the project;
- 8) Full development of intersection of Union Road and North River Road including widening, re-alignment and traffic controls which are limited to signing and striping improvements;
- 9) Development of half width of North River Road north of Union Road;
- 10) Full street improvements on North River Road between Union Road and Creston Road which includes curb, gutter and sidewalk on the East side, full width street paving in an AC berm on the West side of North River Road in conjunction with the signalization of the Creston/River Road intersection. This development to include a new vertical alignment of North River Road for improved sight distance. Any additional right of way or easements required by this action will be acquired by the City.
- 11) That a drainage plan for this development and drainage access to the development be submitted to the City Engineering Department

for approval. Motion carried by the following roll call vote:

AYES: Councilwoman Cousins, Councilmen Russell, Thorndyke and Stemper

NOES: Councilman Ovitt

7. A presentation of the final report Phase I Geothermal Grant was made by Mike Sheffer, consultant. The report outlines the areas of potential hot water sources in the City and presented a feasibility analysis for hot water conversion of the Municipal Pool and Paso Robles Meat Company. The report was accepted by the Council.

8. Councilwoman Cousins requested that Item G-5 be removed from the consent calendar for separate discussion.

9. It was moved by Councilman Ovitt and seconded by Councilman Russell that items G-1 to G-4 and G-6 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. The items on the Consent Calendar are as follows:

G-1 Letter from Executive Director of Paso Robles Housing Authority regarding Traffic Survey. (Recommend letter be received & filed with copy to Director of Finance.)

G-2 Letter of thanks from Manager of Kentucky Fried Chicken for Fire Chief & Fire Prevention officers response to customer who suffered a heart attack. (Recommend letter be received & filed with copy to Personnel files.)

G-3 Departmental Reports:

a. Police Dept. activity Report for July, 1984  
b. Finance Dept. Report--Utility Terminations  
c. Municipal Services Monthly Report (Recommend reports be received & filed.)

G-4 SLO Co. Air Pollution Control District Quarterly report be received & filed with copies to Engineering & Planning Depts.)

G-6 Letter from PG&E regarding completion of underground district #4. (Recommend letter be received & filed.)

10. Item G-5 was discussed by the Council and City Staff. Upon motion by Councilwoman Cousins, seconded by Councilman Ovitt and passed unanimously that Item G-5 be approved as recommended.

G-5 Report from Department of Animal Regulations (Recommend report be received & filed.)

11. The minutes of the regular meeting of the Planning Commission of August 14, 1984 were presented. The minutes were reviewed by Councilman Russell after which it was moved by Councilman Russell, seconded by Councilwoman Cousins and passed unanimously that the actions of the Planning Commission in its meeting of August 14, 1984 be approved, together with the findings and conditions as set forth therein.

12. The City Attorney presented a letter received by the City from an attorney raising the questions of conflict of interest that Mayor Stemper may have had in voting on certain past items. The City Attorney indicated that he will be sending a copy of the letter to the District Attorney for proper handling.

13. A memo from Finance Director requesting approval of Allocation of Interest Income was presented. Upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that the Council accept the recommendations of Allocation of Interest Income as presented.

14. The Finance Director, stated the need for authorization for the acquisition of a modular building, 24x60 due to lack of office space. There is a purchase order being held, subject to approval of City Council.

Councilman Russell proposed a meeting with staff to discuss this proposal further, also to discuss a City Hall Master Plan. Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that a meeting be scheduled for Thursday August 23, at 5:30 p.m.

15. A memo from Librarian requesting approval of JPA Black Gold Agreement was presented. Motion by Councilman Ovitt, seconded by Councilwoman Cousins and passed unanimously, to authorize the Mayor, City Clerk and City Attorney to sign the amended Joint Powers Agreement of the Black Gold Cooperative Library System.

16. A memo from the Director of Municipal Services presented Progress payment #1 Telemetry Systems, to Montedoro/Whitney Co., in the amount of \$44,388.00. Motion by Councilwoman Cousins, seconded by Councilman Ovitt and passed unanimously to authorize payment, unanimous and so carried.

17. A memo was presented from the Parks and Recreation Director regarding allocation of Pioneer Park parking lot revenue. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to accept in concept, that \$2500.00 be used to replace broken picnic tables in Sherwood Park and that the remaining revenue be placed in the 10-903 account to offset the 1985 summer playground program. The Finance Director will come back to Council with the appropriate resolutions.

18. A memo from the Planning Director regarding up-date of development fees--Resolution #2933. Motion by Councilman Ovitt, seconded by Councilman Russell that Resolution #2933 be read by Title only. The City Manager read Resolution #2933 regarding the up-date of development fees. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adopt Resolution #2933 to become effective as of September 1, 1984.

19. An up-date from the Police Department on status of Crime Prevention Assistance Committee was presented. Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to accept recommendation for approval of appointment of

five people to form said committee. Those persons are as follows:

Daniel T. Marquez  
Cheri A. Ross  
Loren E. Hill  
Kevin D. Kester  
Jack Stevens

20. It was moved by Councilman Russell and seconded by Councilman Ovitt that September be proclaimed as U.S. Constitution Observance Month. The Mayor was authorized to sign said proclamation.

21. On the matter of Paso Robles Wine Festival, a presentation was made by Tom Martin representing the Chamber of Commerce Wine Industry Committee, donating \$1,000 to the City of Paso Robles. After thanking the Committee it was motioned by Councilman Ovitt to donate this money, on behalf of City Council to ACORN, seconded by Russell. Motion carried by the following vote:

AYES: Councilmen Ovitt, Russell, Thorndyke, and Mayor Stemper  
ABSTAINED: Councilwoman Cousins

Motion by Councilman Russell, seconded by Councilman Thorndyke to accept the final report for Wine Festival and grant the use of the City Park on May 18, 1985 for the next Festival. Motion was carried by the following vote:

AYES: Councilman Ovitt, Russell, Thorndyke and Councilwoman Cousins  
ABSTAINED: Mayor Stemper

22. Memo from Council Bridge committee was read by Councilwoman Betty Cousins. The memo recommends the following:

- 1) That all City efforts be concentrated on completion of a Niblick to First Street Bridge;
- 2) That the Council continues to pursue all available funding options;
- 3) That staff be directed to pursue the negotiation and acquisition of all easements and rights of way to complete the bridge;
- 4) That staff be directed to activate all necessary permits to permit construction of the bridge in the Spring of 1985.

After discussion, the Council directed Staff to bring the Utility Users Tax Ordinance back to the next Council meeting for the second reading. Motion by Councilwoman Cousins, seconded by Councilman Ovitt and passed unanimously to accept the recommendations of Bridge Committee.

23. On other matters, Councilwoman Betty Cousins suggested the Council utilize study sessions to discuss major issues facing the City. Council members were requested to bring items for discussion

to the meeting on Thursday; August 23, 1984.

24. Councilman Thorndyke brought up matter of 13th Street railroad crossing; Councilman Russell brought up the Airport development fee structure. Staff is still working on this item; Sherman Smoot requested a reimbursement to his development fees paid if the rates are changed. The Council was in general agreement on this.

25. There being no further business, upon motion by Councilwoman Cousins, seconded by Councilman Ovitt and passed unanimously, the meeting was adjourned to an adjourned meeting on August 23, 1984 at 5:30 p.m. in the City Council Chambers.

City Clerk, John R. McCarthy

THESE MINUTES ARE NOT OFFICIAL NOR A PERMANENT PART OF THE RECORDS UNTIL APPROVED.