

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
SEPTEMBER 4, 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, Stemper; none being absent. Following roll call, a brief invocation was given by Reverend Mike Kernutt.

1. The minutes of the regular meeting of August 21, 1984 and the adjourned meeting of August 23, 1984 were presented and upon motion by Councilman Ovitt, 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
Aug. 10, 1984	\$ 221,733.98
Aug. 24, 1984	3,654,052.42

Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Thorndyke and Stemper
NOES: None
ABSENT: None
ABSTAINED: Councilman Russell

3. It was moved by Councilman Russell and seconded by Councilman Ovitt 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. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke and Stemper
NOES: None
ABSENT: None

The items on the Consent Calendar are as follows:

- G-1 Departmental Reports:
 - a. Monthly report, July 1984, Department of Municipal Services.
- G-2 Traffic Safety Commission Minutes
- G-3 Letter from the City of Woodlake requesting adoption of Resolution #84-26--White Bass Management Program.
- G-4 Salinas Reservoir Monthly Report.
- G-5 Memo regarding Transfer of Capital Line Item budget Amount.

4. The minutes of the regular meeting of the Planning Commission of August 28, 1984 were reviewed by Councilman Ovitt. During

discussion, Mr. Ray Wenger addressed Tract 1159/Pacific Heights, Condition 9. of E.I.S No. 84020, stating that he objected to the closing of Maple Street. He felt they should have a looped water system and a new certified contour map.

Councilman Thorndyke stated that he objected to the plan proposed to abandon a portion of Maple Street without holding a public hearing.

After further discussion, it was moved by Councilman Ovitt and seconded by Councilman Russell that the actions of the Planning Commission in its meeting of August 28, 1984 be approved, together with the findings and conditions as set forth therein. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell and Stemper
NOES: Councilman Thorndyke
ABSENT: None

5. The City Manager requested a closed session to discuss litigation and employee negotiations. It was moved by Councilman Ovitt and seconded by Councilman Russell to adjourn to a closed session at this time; however, it was then decided to deviate from the agenda in order to present Certificates of Completion to members of the Paso Robles Volunteer Fire Department for EMT I training. Councilmen Ovitt and Russell withdrew their motion and second.

6. Fire Chief Bob Adams introduced the following members of the Paso Robles Volunteer Fire Department who recently completed the Emergency Medical Technician I class and presented certificates of completion from the State Fire Marshall's office: Fred Anderton, Susan Hatch, Wade Hatch, Harvey Morgan and Bill Slane, Jr. The Council commended them for their diligent efforts.

7. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adjourn to a closed session at this time to discuss litigation matters and employee negotiations.

At the closed session, matters of litigation and employee negotiations were discussed with no official action taken. Upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously, the closed session was adjourned to the regular meeting.

8. The Mayor called the meeting back to order.

9. The City Manager presented the Memorandum of Understanding between the City of Paso Robles and its Management/Confidential Unit employees to the City Council for their review, stating that a resolution would be brought back to Council in their next regular meeting.

10. The City Manager presented a letter from Attorney Martin Wolff to the City Council regarding Use Permit 80-04/River Road Ready-Mix (Gary Stemper) which referred to possible violations of the State

of California Fair Political Practices Act and requested that the City immediately revoke the River Road Ready-Mix permit. The City Manager advised the Council that Mr. Wolff has been informed that he should direct any conflict of interest allegations to the District Attorney and the Fair Political Practices Commission.

It was moved by Councilman Russell and seconded by Councilman Thorndyke that the matter be referred to Planning Department staff for review and recommendation. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell and Thorndyke
NOES: None
ABSENT: None
ABSTAINED: Mayor Stemper

11. A memo from the Otto Sharp Estate Selection Committee requested that the Council authorize the quarterly allocation for the period ending June 30, 1984 be dispersed to the Paso Robles - Shandon Campfire Girls in the amount of \$3,000.00.

Motion by Councilman Ovitt, seconded by Councilwoman Cousins and passed unanimously to approve the above request to disperse \$3,000 to the Paso Robles - Shandon Campfire Girls from the Otto Sharp Trust.

12. A memo from the Finance Director presented Ordinance No. 492 N.S., AN ORDINANCE PROVIDING FOR A TELEPHONE, GAS, WATER ELECTRICITY AND TELEVISION CABLE USERS TAX, for second reading and adoption. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Ordinance No. 492 N.S. be read by title only. Ordinance No. 492 N.S. is read by title only.

During the ensuing discussion, Attorney Dale Gustin, Mr. Les Johnson, an officer of Sonic Cable T.V. and Mr. Steve Hovey appeared to voice their objections to the Ordinance.

After discussion, it was moved by Councilman Ovitt and seconded by Councilman Thorndyke that this constitute the second reading of Ordinance No. 492 N.S. and that it be adopted. Motion passed by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke and Stemper
NOES: None
ABSENT: None

13. It was moved by Councilman Russell that staff be instructed to prepare an amendment to Ordinance No. 492 N.S. providing that a public hearing shall be held to establish any rate or fee setting and that a draft resolution be developed to provide a mechanism for financial assistance to low-income residents. Motion seconded by Councilwoman Cousins and after further discussion, Councilwoman Cousins withdrew her second. Motion is then seconded by Councilman Ovitt and passed unanimously.

14. A memo from the Finance Director requested that Council approve a transfer of \$1,915.00 from the Council's contingency budget line item to "postage" and "other supplies" line items to pay for the stamped envelopes used in mailing the traffic survey that was made in conjunction with the utility users tax matter.

Motion by Councilman Ovitt, seconded by Councilwoman Cousins and passed unanimously to approve the above transfer.

15. Motion by Councilwoman Cousins, seconded by Councilman Russell and passed unanimously that the City Manager be authorized to transfer as much as, or up to, \$10,000 per transaction into or out of the capital accounts. The specific capital accounts shall include objects 547, 548, 549 and 550, to wit; equipment, buildings, land and furniture and fixtures rather than having to come back for Council approval for each item.

16. A memo from the Finance Director presented Resolution No. 2934, A RESOLUTION APPROVING APPROPRIATION OF WATER CONNECTION FUND NO. 342 FOR THE FISCAL YEAR 1984/1985, which appropriates \$50,000.00 for the purpose of purchasing and installing water mains on 21st Street and on Oak Street. Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 2934 be read by title only. Resolution No. 2934 is read by title only.

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously to adopt Resolution No. 2934.

17. A memo from the Director of Municipal Services recommended that the Council approve Change Order No. 1, Thunderbird Well #13, Pump and Piping, State Water Loan, for an amount of \$183.89; authorize payment of final Progress Payment to Gleim-Crown Pump, Inc, in the amount of \$5,287.79; and authorize the City Clerk and Director of Municipal Services to execute the attached Notice of Completion and that the 10% retention remaining on the contract price (\$5,709.83) be returned to Gleim-Crown Pump, Inc. 35 days after Notice of Completion is executed.

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

18. A memo from the Director of Municipal Services recommended that Final Parcel Map PR 84-121 - Academe Enterprises - be approved, and that the City Council authorize the Mayor and City Clerk to sign said map.

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

19. A memo from the Director of Municipal Services presented Resolution No. 2935., A RESOLUTION ACCEPTING CERTAIN PROPERTY FOR WATERLINE EASEMENT, (Portion of Parcel B, Parcel Map PRAL 80-15).

Motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 2935 be read by title only.

Resolution No. 2935 is read by title only.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adopt Resolution No. 2935.

20. A memo from the Director of Municipal Services presented Resolution No. 2936, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, ESTABLISHING A PASSENGER LOADING AND UNLOADING ZONE, (Spring Street between the Greyhound Depot's two driveways). Motion by Councilman Ovitt, seconded by Councilwoman Cousins and passed unanimously that Resolution No. 2936 be read by title only. Resolution No. 2936 is read by title only.

21. A memo from the Director of Municipal Services recommended that a resolution be adopted establishing a "No Parking" zone on Riverside Avenue at 13th Street and on Creston Road between Laura Way and Charolais Road.

Motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously that the resolution be read by title only. The resolution was read by title only.

After discussion, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that the matter, including the resolution, be referred back to the Traffic Safety Commission for review and recommendation back to City Council.

22. Motion by Councilman Ovitt, seconded by Councilwoman Cousins and passed unanimously to proclaim the week of October 7-13, 1984, Disabled Artists Week.

23. The Council directed that a study session be conducted on the second Wednesday of each month at 5:30 p.m. in the City Council Chambers for matters concerning sewer waste, the bridge and an update of priorities.

24. Councilwoman Cousins requested that a replacement be designated for her position on the Economic Opportunity Commission, since she has a conflicting meeting. It was decided that either Councilman Thorndyke or Ovitt shall be the representative.

25. Councilman Russell requested that the Architectural Review Committee take steps to insure that trees are replanted on Spring Street corridor when new projects are developed or the curbs are moved back.

26. Mayor Stemper requested permission to leave the United States to go to England from September 13 through September 24, 1984. The Council granted permission.

27. There being no further business, it was moved by Councilman Ovitt, seconded by Councilwoman Cousins and passed unanimously to adjourn to a study session on September 12, 1984 at 5:30 p.m.

City Clerk, John R. McCarthy

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

NOTICE OF ADJOURNMENT

YOU ARE HEREBY NOTIFIED that the meeting of the City Council of the City of El Paso de Robles, California, held on September 4, 1984 at 7:30 p.m. in the Council Chambers, City Hall, 1030 Spring Street, Paso Robles, California 93446, has been adjourned to September 12, 1984 at 5:30 p.m. in the Council Chambers, City Hall, 1030 Spring Street, Paso Robles, California 93446.

DATE: September 4, 1984

CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES

BY:

Sam Hudson
DEPUTY CITY CLERK