

# City of El Paso de Robles

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
OCTOBER 16, 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. Before roll call, a brief invocation was given by Reverend Greg Ellis.

1. The minutes of the regular meeting of October 2, 1984 were presented and upon motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously, the 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
Oct. 5, 1984	\$1,128,830.38
Oct. 5, 1984	227,225.51

Motion passed by the following roll call vote:

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

3. The Mayor announced that it was the time and place scheduled for public hearing of an appeal by Paso Robles Meat Co. to the Planning Commission decision regarding Use Permit No. 84036. The City Manager and the Planning Director reviewed the background of the matter.

The Mayor opened the public hearing to the audience. Mr. Joe Elkins, architect for the Paso Robles Meat Co. and Mr. Robert Lystrup, representative for the Meat Co. appeared to support the appeal, requesting that they be allowed to begin construction of a storage building as soon as possible, stressing that the odor problem appeared to be resolved and that the other required conditions were being met.

Motion by Councilman Russell, seconded by Councilwoman Cousins and passed unanimously that the hearing be closed.

Mayor Stemper stepped down.

Motion by Councilman Russell, seconded by Councilwoman Cousins and passed unanimously to grant the appeal, and instruct the Planning Department to issue the building permit as requested. The words "prior to issuance of building permit" are to be removed from all

# City of El Paso de Robles

MINUTES 10/16/84

conditions having that working.

Mayor Stemper resumed his seat.

4. 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. The items on the Consent Calendar are as follows:

## G-1 COMMITTEE/COMMISSION/BOARD MINUTES

a. The minutes of the regular meeting of the Senior Citizens Advisory Board meeting of October 8, 1984. (Recommend minutes be received and filed.)

G-2 Letter of invitation from Governor Deukmejian to join in the observance of April 15-20, 1985 as Earthquake Preparedness Week. (Recommend letter be received and filed.)

G-3 Letter to Police Chief Mathison from the State Fire Marshall's Office that the jail meets fire and life safety regulations; therefore, fire clearance is granted for a period of one year. (Recommend letter be received and filed.)

G-4 Letter to Police Department expressing thanks to Officer Steenport for his assistance to travelers staying over night in the City. (Recommend letter be received and filed in Personnel file.)

G-5 San Luis Obispo County Monthly Salinas Reservoir Operational Report. (Recommend Report be received and filed with copies to Engineering and Planning Depts.)

G-6 Notice from Pacific-Bell. (Recommend Notice be received and filed.)

G-7 Department of Municipal Services Monthly Report for August 1984. (Recommend Report be received and filed.)

G-8 Memo from Assistant City Engineer recommending Council approve Change Order No. 1 and authorize the payment of Progress Payment No. 2 to Montedoro-Whitney in the amount of \$2,466 for work completed on the Telemetry System - State Water Loan. (Recommend approval).

5. The minutes of the regular meeting of the Planning Commission on October 9, 1984 were reviewed by Councilwoman Cousins. Councilwoman Cousins specifically addressed Item 4.A, New Business, Use Permit 84042/L. Potts, DVM, regarding Condition 4. (requirement that applicant pave alley from the north side of the property to the intersection with 22nd Street at no cost to the City).

After a lengthy discussion, Councilwoman Cousins moved to remove Condition 4. of Item 4.A, New Business, from Use Permit No. 84042. Motion died for lack of a second.

# City of El Paso de Robles

MINUTES 10/16/84

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Condition 4. of Item 4.A, New Business, Use Permit No. 84042 be amended to read "That the alley be paved for its full width adjacent to this property."

Motion by Councilman Ovitt and seconded by Councilwoman Cousins that the actions of the Planning Commission in its meeting of October 9, 1984 be approved, together with the findings and conditions as set forth therein, with Condition 4 of Item 4.A, New Business amended as set forth above. Motion carried by the following roll call vote:

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

6. The Mayor announced that it is the time and place scheduled for public hearing for the purpose of making public the annual cost increases caused by benefit increases negotiated in the City's MOU's. The Finance Director read a memo presenting Resolution No. 2954, A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF PASO ROBLES, for Council's consideration.

Motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 2954 be read by title only. Resolution No. 2954 was read by title only.

Motion by Councilman Ovitt and seconded by Councilman Thorndyke that Resolution No. 2954 be adopted. Councilman Russell stated that he did not think the sick leave option would cost so much. Motion carried by the following roll call vote:

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

The Mayor opened the public hearing scheduled at this time which is required according to Government Code Section 7505 whenever a municipality intends to change the benefits or the costs of the retirement program administered by the Public Employees' Retirement system.

A memo from the Finance Director introduced Ordinance No. 494 N.S., AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF EL PASO DE ROBLES AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM, and recommended that the Council read said Ordinance for the first time.

There being no comments either written or oral, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to close the public hearing.

# City of El Paso de Robles

MINUTES 10/16/84

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Ordinance No. 494 N.S. be read by title only. Ordinance No. 494 N.S. was read by title only.

Motion by Councilman Ovitt and seconded by Councilman Thorndyke that this constitute the first reading of Ordinance No. 494 N.S.

Motion carried by the following vote:

AYES: Councilpersons Cousins, Ovitt, Thorndyke and Stemper

NOES: Councilman Russell

ABSENT: None

7. The City Manager read a memo which presented a Revenue Sharing Grievance Procedure for the Council's consideration and adoption, explaining that this was required to satisfy Revenue Sharing requirements.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that said Grievance Procedure is adopted subject to the following amendments: 1) that the name of the City Manager, John McCarthy, be deleted from the second paragraph; 2) that the name of the Finance Director, Phillip Molina, be deleted from Item 3.; and that the following sentence be added to Item 6.: "The City Manager shall reply within thirty (30) days".

8. A memo from the City Manager introduced Resolution No. 2958, A RESOLUTION PROVIDING FOR LEGAL PROTECTION FOR CITY COUNCIL MEMBERS, for Council's consideration. Resolution No. 2958 was read by the City Manager in its entirety.

Motion by Councilman Russell and seconded by Councilman Ovitt that Resolution No. 2958 be adopted. Motion carried by the following roll call vote:

AYES: Councilpersons Cousins, Ovitt, Russell and Thorndyke

NOES: None

ABSENT: None

ABSTAINED: Councilman Stemper

9. A memo from the City Manager presented recent statistics on the JPA Safety/Loss Control Program for the Council's information and update. The City Manager pointed out that much of the credit for the City's good safety performance ranking must be given to the Director of Municipal Services and the supervisors within all departments.

10. A memo from the City Manager presented the following items for the Council's consideration for work performed on the FAA Airport Project No. 3-06-0184-02:

1) Request to approve Change Order No. 1 which is a balancing quantity Change Order in the amount of \$39,870.96;

2) A request for FAA to utilize \$25,000 of the remaining Grant funds for a slurry seal on Taxiways "D" and "B";

3) Approval of Progress Payment No. 2 (Final) with a 5% retention in a total amount of \$437,788.35.

# City of El Paso de Robles

MINUTES 10/16/84

The City Manager recommended that the Council approve all of the above listed items for appropriate signatures on all necessary documents.

Motion by Councilwoman Cousins and seconded by Councilman Ovitt to accept the City Manager's recommendations. Motion passed by the following roll call vote:

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

NOES: None

ABSENT: None

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 Russell, seconded by Councilman Ovitt and passed unanimously approving the above hearing and directing that all motel owners be given notice.

12. A memo from the Finance Director presented Resolution No. 2959, A RESOLUTION APPROVING AN APPROPRIATION OF THE FAA GRANT FUND #204 FOR FISCAL YEAR 1984-1985, to appropriate funds for costs associated with Airport Taxiway Project #3-06-0184-02.

Motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 2959 be read by title only. Resolution No. 2959 is read by title only.

13. A memo from the Assistant City Engineer presented Resolution No. 2960, A RESOLUTION ACCEPTING CERTAIN PROPERTY FOR INSTALLATION AND MAINTENANCE OF SEWER AND DRAINAGE FACILITIES, (a Grant of Easement 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 Russell, seconded by Councilman Ovitt and passed unanimously that Resolution No. 2960 be read by title only. Resolution No. 2960 is read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously to adopt Resolution No. 2960.

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. 84017. Mr. Linn requests that he be permitted to erect a sign which is 16 feet in overall height (12 foot pole and 4 foot wide sign).

Motion by Councilman Russell, seconded by Councilwoman Cousins and passed unanimously accepting the modification of the previous minutes to be represented as set forth above.

15. The City Attorney requested formal Council approval of the

# City of El Paso de Robles

MINUTES 10/16/84

First Southern Baptist Church settlement check issued by the City in payment for a storm drainage easement for the Niblick-Creston Assessment District in the amount of \$4,200.00.

Motion by Councilman Russell and seconded by Councilman Ovitt to approve the amount of \$4,200 for purchase of the easement for drainage facilities at the First Southern Baptist Church. Motion passed by the following roll call vote:

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

NOES: None

ABSENT: None

16. Councilwoman Cousins requested that the City Attorney look into the possibility of denying vendor permits to be issued for Pioneer Day.

17. Councilman Russell requested permission to leave the United States. Permission was granted.

18. In response to a letter received from Mrs. Sally B. Jewell and read by the Mayor, the Mayor proclaimed the week of October 21-27, 1984 as NATIONAL LUPUS WEEK in the City of Paso Robles. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously approving the above proclamation.

19. There being no further business, the meeting was adjourned to October 30, 1984 at 5:30 p.m. in the City Council Chambers for the purpose of quarterly budget review.

John R. McCarthy  
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.