

# City of El Paso de Robles

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
DECEMBER 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 and Stemper; none being absent. Before roll call, Reverend Mike Kernutt gave a brief invocation.

1. The minutes of the regular meeting of November 20, 1984 were presented and upon motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously, the minutes were approved.

2. Ordinance No. 495 N.S., AN ORDINANCE REPEALING ORDINANCE NO. 492 N.S., AN ORDINANCE PROVIDING FOR A TELEPHONE, GAS, WATER, ELECTRICITY AND TELEVISION CABLE USERS TAX, is presented for second reading and adoption. Motion by Councilman Russell, seconded by Councilwoman Cousins and passed unanimously that Ordinance No. 495 N.S. be read by title only. Ordinance No. 495 N.S. is read by title only.

Motion by Councilman Russell and seconded by Councilwoman Cousins that this constitute the second reading and adoption of Ordinance No. 495 N.S. Motion passed by the following roll call vote:

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

3. 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 Departmental Reports;

- a. Finance Department Report of utility terminations.
- b. Police Department Activity Report for October 1984.

(Recommend reports be received and filed.)

G-2 COMMISSION/COMMITTEE/BOARD MINUTES;

- a. Minutes of Parks and Recreation Advisory Committee meeting of November 12, 1984.
- b. Minutes of Senior Citizens Advisory Board meeting of November 19, 1984.

(Recommend minutes be received and filed.)

4. The minutes of the regular meeting of the Planning Commission meeting of November 27, 1984 were reviewed by Councilman Thorndyke,

after which Item 4 A. New Business, Tract 1215/Dick Wilhoit was removed from the minutes for discussion of Conditions No. 19, 26 & 27.

Item 4 B. New Business, Parcel Map 84-264/A1 Keulen, was then removed from the minutes for discussion. Councilman Ovitt addressed Condition No. 11 pointing out the potential hazard of transition to existing paving. The Planning Director explained the project. The City Attorney and the City Engineer stressed the need for safe conditions to be constructed. Councilman Russell suggested that the City participate with the developer in finishing the project.

Motion by Councilman Russell, seconded by Councilwoman Cousins and passed unanimously that Condition No. 17 be added to Parcel Map 84-264/A1 Keulen to read that the developer will be required to participate with the City to make a safe transition easterly on 24th Street to Vine Street.

After further discussion, it was moved by Councilwoman Cousins, seconded by Councilman Ovitt and passed unanimously that the actions of the Planning Commission in its meeting of November 27, 1984 be approved, together with the findings and conditions as set forth therein, with the amendment to Item 4 B. New Business Parcel Map 84-264/A1 Keulen, adding Condition No. 17 as set forth above.

5. The Mayor announced that it is the time and place scheduled for public hearing of General Plan Amendment No. 7, Rezone 84003, and EIS 84017 filed by Louis Nunno. The City Manager and the Planning Director presented a background of the project, after which the Mayor opened the hearing to the floor.

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

Resolution No. 2969, A RESOLUTION APPROVING AND ADOPTING GENERAL PLAN AMENDMENT NO. 7, (L. NUNNO) AN AMENDMENT TO THE LAND USE ELEMENT, is introduced. Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 2969 be read by title only. Resolution No. 2969 is read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Resolution No. 2969 be adopted.

Ordinance No. 496 N.S., AN ORDINANCE AMENDING ZONING MAP ESTABLISHED BY REFERENCE IN SECTION 21.12.020 OF THE MUNICIPAL CODE OF THE CITY OF EL PASO DE ROBLES, is introduced for first reading. Motion by Councilman Ovitt, seconded by Councilman Russell that Ordinance No. 496 N.S. be read by title only. Ordinance No. 496 N.S. is read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that this constitute the first reading of Ordinance No. 496 N.S.

6. The City Manager presented the matter of the City's repurchase option of some of the property owned by Beckman Instruments, Inc. and reported that it was agreed between the City and representatives of Beckman that the City could repurchase Lots 11, 12, and 13, leaving Lots 9 and 10 for Beckman's future expansion.

After discussion, wherein Mr. Don Gilbertson of Beckman Instruments appeared, the City Manager stated that the City Attorney would draft the necessary documents for the above transaction and the documents would be brought back to the Council in the next regular meeting.

7. The City Manager addressed the matter of a feasibility study for a toll bridge, advising that a study had been received from Willdan Associates this date, too late to allow time for review. The matter will be brought back to the next regular Council meeting.

8. The City Attorney requested a closed session at the end of the meeting to discuss litigation and personnel matters.

9. A memo from the Finance Director presented Resolution No. 2967, A RESOLUTION ESTABLISHING SEWER RATES FOR THE PASO ROBLES MOTEL INDUSTRY, which would reset the sewer service charge rates for the Paso Robles motels at 50% of this year's rates, 75% of next year's rates and 100% of all subsequent year's rates.

Motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 2967 be read by title only. Resolution No. 2967 is read by title only.

Mr. Dale Gustin appeared and objected to the motels being charged both a residential and commercial rate. Councilwoman Cousins and Councilman Russell indicated that they too objected to the two charges.

Motion by Councilman Ovitt and seconded by Councilman Thorndyke that Resolution No. 2967 be adopted. Motion carried by the following roll call vote:

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

10. A memo was read from the Finance Director presenting Resolution No. 2968, A RESOLUTION ESTABLISHING WATER UTILITY RATES FOR THE PERIOD JANUARY 1, 1985 THROUGH DECEMBER 31, 1985, which adjusts the existing water rates upward by 7%.

Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 2968 be read by title only. Resolution No. 2968 is read by title only.

Motion by Councilman Russell and seconded by Councilman Thorndyke that Resolution No. 2968 be adopted. Motion carried by the following roll call vote:

AYES: Councilmen Ovitt, Russell, Thorndyke and Stemper  
NOES: Councilwoman Cousins  
ABSENT: NONE

11. A memo from the Director of Municipal Services recommending the following action by the City Council in connection with the Water Control Telemetry System, State Water Loan work completed by Montedoro-Whitney, is presented:

a. Approve Change Order No. 2 and authorize the City Engineer to execute same; and

b. Authorize the payment of final Progress Payment No. 30 to Montedoro-Whitney in the amount of \$4,894.20; and

c. Authorize the City Clerk and Director of Municipal Services to execute attached Notice of Completion and that the 10% retention remaining on the contract price (\$5,759.80) be returned to Montedoro-Whitney 35 days after Notice of Completion is executed.

Motion by Councilwoman Cousins, seconded by Councilman Ovitt and passed unanimously that the above recommendations be approved.

12. A memo from the Director of Municipal Services recommended that Final Parcel Map PR 84-167 (Commerce Development) be approved and that the City Council authorize the City Clerk and the City Engineer to sign said map.

Motion by Councilman Ovitt and seconded by Councilwoman Cousins to approve the above recommendations. Motion carried by the following vote:

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

13. A memo from the Director of Municipal Services presented a review of the Sewage Treatment Plant capacity for Council's information.

14. The City Manager presented a plaque which was received by the City from the Central Coast Cities Safety Committee in recognition of outstanding support by the City. The City Manager pointed out that Jay Lyon, Director of Municipal Services, was to be commended for his efforts and contributions to this committee.

15. It was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adjourn to a closed session for personnel matters and discussion of litigation.

At the closed session, there were a number of litigation items which were discussed with the City Attorney. The Council also discussed the salary of Mr. Chuck Frazier as Acting Fire Chief in Mr. Adams absence, and the salary of Lt. Ed Bryant in the Acting Police Chief role.

Motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously that Mr. Frazier be paid an additional \$250.00 for his services as Acting Fire Chief and that Lt. Bryant be paid \$1,000.00 for his services as Acting Police Chief at the end of his tenure.

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adjourn to the regular meeting.

16. There being no further business, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adjourn to 5:30 p.m. on December 12, 1984 in the Council Chambers for the purpose of a study session.

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.