

# City of El Paso de Robles

MINUTES OF THE REGULAR MEETING  
PASO ROBLES CITY COUNCIL  
DECEMBER 18, 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 Carl Hansen.

1. The minutes of the regular meeting of December 4, 1984 were presented and upon motion by Councilwoman Cousins, seconded by Councilman Russell and passed unanimously, the minutes were approved.

2. It was moved by Councilman Ovitt and seconded by Councilman Russell that the following claims be paid from their respective accounts:

DATE OF CLAIM	TOTAL PAID
Nov. 30, 1984	\$1,003,823.11
Dec. 7, 1984	\$ 158,925.19

Motion passed by the following roll call vote:

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

NOES: None

ABSENT: None

3. Sgt. Earle Requa, of the Paso Robles Police Department, read a memo which commended Police Officers Gary Bollinger and Allen Rowe for bravery in the line of duty. The Mayor then presented each officer with a Certificate of Commendation.

4. The Fire Chief read a memo commending Mr. Frank Thompson, of San Miguel, for his actions in saving the life of an accident victim. A Certificate of Commendation is issued to Mr. Frank Thompson.

5. 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, (Louis Nunno) was presented for second reading and adoption. Motion by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that Ordinance No. 496 N.S. be read by title only. Ordinance No. 496 N.S. was read by title only.

Motion by Councilman Russell and seconded by Councilman Thorndyke that this constitute the second reading and adoption of Ordinance No. 496 N.S. Motion passed by the following roll call vote:

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

NOES: None

ABSENT: None

6. The Consent Calendar was presented and the City Manager asked that Item G-5 be removed.

Motion 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, with the exception of Item G-5. The items on the Consent Calendar are as follows:

G-1 Quarterly Report of San Luis Obispo County Air Pollution Control District. (Recommend report be received with copies to Planning & Engineering Departments).

G-2 Notice from PG & E of filing application to increase electric rates. (Recommend Notice be received and filed.)

G-3 DEPARTMENTAL REPORTS:

a. Municipal Services Department monthly report for October 1984. (Recommend Report be received and filed.)

G-4 COMMISSION/COMMITTEE/BOARD MINUTES:

a. Minutes of regular meeting of Senior Citizens Advisory Board of December 10, 1984.

b. Minutes of Parks & Recreation Advisory Board meeting of Dec. 10, 1984.

(Recommend minutes be received and filed.)

G-6 Memo from Director of Municipal Services recommending Final Parcel Map PR 84-082 (Jim Pry) be approved and that the Mayor and City Clerk be authorized to sign same. (Recommend approval.)

Item G-5 (Final Parcel Map PR 83-196 Ed King) is presented for discussion. The Director of Municipal Services advised that the requirements were not completed on the project, and it was moved by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that the matter be sent back to staff.

7. The minutes of the regular meeting of the Planning Commission on December 11, 1984 were reviewed by Councilwoman Cousins, after which there was discussion on Item 4. b, New Business, Memo regarding Theater at Oak Creek Plaza and the concept of shared parking spaces.

It was moved by Councilwoman Cousins that there be allowed shared parking, some modification to compact spaces and that an arrangement with the City be made for an additional 20 spaces across the street. Motion died for lack of a second.

Motion by Councilman Russell that the applicant for the Oak Creek Plaza development be required to meet the City's existing parking

regulations of 130 parking spaces; that the 110 parking spaces as shown on the map be approved for their present site and 20 spaces be provided within 100 feet of the project; that the Parks and Recreation Department be instructed to work with the developer to provide the additional 20 spaces as part of the park area for the City. Motion seconded by Councilwoman Cousins and carried by the following roll call vote:

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

It was then moved by Councilman Ovitt and seconded by Councilman Russell that the actions of the Planning Commission in its meeting of December 11, 1984 be approved, together with the findings and conditions as set forth therein, as amended and pertaining to Item 4 C. New Business, Use Permit 82015/Goodrich Dairy, as long as the wheel stops are removed, the revocation process shall be ceased. Motion carried by the following roll call vote:

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

Councilman Russell requested that a committee be appointed to review the matter of the temporary vendors licensing and bring their findings back to Council. Councilpersons Cousins and Russell are appointed to the committee and directed to bring their results back to the Council.

8. A memo from the City Manager presented a proposed exercise of the option to repurchase Lots 11, 12 and 13 in the Industrial Park on Commerce Way owned by Beckman Instruments, Inc., with the following features:

1) The City would purchase Lots 11, 12, and 13 for \$1,500 per acres plus prorated taxes and any offsite improvements; 2) The City would leave vacant lots 9 and 10 for future Beckman expansion; 3) The City would have right to written consent if Beckman wished to sell Lots 9 and 10 to any third party. However, the property could only be sold as a package including the existing Beckman facility; and 4) Beckman would install improvements to Commerce Way by December 31, 1985.

Mr. Don Gilbertson, representing Beckman Instruments, appeared to present the Company's desires. He asked for a two year extension on the entire parcel, offered to do entire improvements on Commerce Way, and if at the end of two years they haven't started construction on a 25,000 square foot building, the City could then repurchase the property and the improvements would be donated to the City without any charge at all to the City.

After a lengthy discussion, Councilwoman Cousins moved to repurchase Lots 11, 12, and 13 and accept the City Manager's

recommendations. Motion seconded by Councilman Ovitt.

It was moved by Councilman Ovitt, seconded by Councilwoman Cousins and passed unanimously that the original motion be amended by amending Item 4 above to read that the improvements to Lots 9 and 10 be done at the time of development of the property. The original motion as amended was then voted upon and failed by the following roll call vote:

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

After further discussion, it was moved by Councilman Russell that the City Attorney be directed to draw up an amendment to the present lease agreement granting Beckman Instruments a two (2) year time extension with the provision that all public improvements to Commerce Way, be placed adjacent to Lots 9, 10, 11, 12 and 13 no later than December 31, 1985. At the end of the two year extension, if no development has taken place on Lots 9 and 10 then the City will have the first right of repurchase on Lots 11, 12 and 13 as per the original agreement. Motion seconded by Councilman Thorndyke. Motion carried by the following roll call vote:

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

9. Mr. Jim Claasen appeared to present a petition signed by citizens in favor of Lt. Ed Bryant to be appointed to the Police Chief vacancy for the Council's consideration.

10. Upon motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously the meeting was adjourned to a closed session for the purpose of discussing personnel matter.

11. The Mayor called the meeting back to order.

12. At this time, the City Manager introduced a discussion on bridge development. After a lengthy discussion, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that staff be directed to start preparation of plans and specifications and come back to Council with a dollar figure for the cost of construction of the approach to the bridge from Niblick Road to River Road and to the bridge abutments.

13. The matter of the amount of the bridge fees was discussed. Motion by Councilman Russell that staff be directed to prepare a resolution to increase bridge fees by \$1,000 effective May 1, 1985. The fee structure to be \$500.00 at final tract map stage and \$1,500 at building permit stage. Motion carried by the following roll call vote:

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

ABSENT: None

Councilman Thorndyke suggested that a letter be sent to Supervisor Diefenderfer advising him of the increase in bridge fees.

14. A memo from the Airport Manager requested the City Council to approve payment in the amount of \$23,750.00 to Granite Construction Co., which covers Change Order No. 2 for AIP Project No. 3-06-0184-02 at the Municipal Airport.

Motion by Councilwoman Cousins, seconded by Councilman Ovitt and passed unanimously to approve the above payment to Granite Construction Co.

15. A memo from the Finance Director recommended approval of Resolution No. 2970, A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF THE PARK DEVELOPMENT FUND #339 FOR THE FISCAL YEAR 1984/1985 (PURCHASE OF LIGHTS FOR SHERWOOD TENNIS COURTS).

Motion by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that Resolution No. 2970 be read by title only. Resolution No. 2970 is read by title only.

Motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously that Resolution No. 2970 be adopted.

16. A memo from the Finance Director presented a loan agreement from the State Department of Transportation in an amount of \$73,072.00 to help meet the matching needs of the FAA Grant for the Taxiway Improvement recently completed at the Airport. The Director urged the Council to accept the Agreement. The City Manager stated that he believed the payback of the loan should be for no longer than three (3) years.

Motion by Councilwoman Cousins and seconded by Councilman Russell to authorize the execution of the Loan Agreement, with funds budgeted to pay back within three (3) years. 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 Director of Municipal Services presented a report of an inspection which was made of the East Side Water Tank and informed the Council that the Tank is in very good condition and that funds for minor corrections and repairs will be budgeted in 1985/86.

18. A memo from the Director of Municipal Services was read by the City Manager which set forth a proposal for filling the vacancy in the Water Department created by the resignation of William Painter and a proposal to add an additional Maintenance Worker I to the Water Department.

Motion by Councilwoman Cousins, seconded by Councilman Ovitt and passed unanimously to accept the recommendations of the Director for filling above vacancy and that staff be directed to work out the details for providing an additional part-time employee with a vehicle.

19. The matter of Item 3.B Old Business Tract 1219/John Mitchell in the minutes of the Planning Commission of November 13, 1984 which was held over from the Council meeting of November 20, 1984 for further review of buildout on the East Side and its effect on this subdivision, was again presented.

After discussion, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously that this item be approved, together with the findings and conditions as set forth therein.

20. The matter of the Animal Regulation Control Agreement with San Luis Obispo County was presented. The Agreement was reviewed by the City Manager who recommended that the Council authorize an additional amount of \$9,000 for the balance of Fiscal Year 1984/85. The original contract had been signed for only six (6) months with a budget of \$10,000.00.

Motion by Councilman Russell, seconded by Councilwoman Cousins and passed unanimously to approve the expenditure of \$9,000 from the Council contingency fund for the Animal Regulation Control Agreement for the balance of the fiscal year and authorize the Mayor and City Clerk to sign said Agreement.

21. Councilman Thorndyke requested permission to leave the state which was granted. He also asked that the 13th Street railroad crossing be fixed.

22. Councilwoman Cousins stated that the construction on Olive Street at 7th Street was getting to be a problem with the neighbors and asked Municipal Services to take care of this matter.

23. There being no further business, it was moved by Councilman Ovitt, seconded by Councilman Russell and passed unanimously to adjourn to 10:00 a.m. on January 5, 1984 for Parks and Recreation orientation.

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.