

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
FEBRUARY 5, 1985

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 Warren Neilson gave a brief invocation.

1. The minutes of the regular meeting of January 15, 1985 were presented and upon motion by Councilman Russell and seconded by Councilman Thorndyke and passed unanimously said 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
January 11, 1985	\$304,218.54
January 18, 1985	\$172,817.83

Motion passed by the following roll call vote:

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

NOES: None

ABSENT: None

3. Staff requested that Item G-12, Parcel Map PR 84-110 (Hilchey) be pulled off the consent calendar at this time and deferred until another meeting. Councilwoman Cousins asked that Item G-6, Resolution No. 2973, Bridge Appropriation, be pulled off the consent calendar for further review. It was moved by Councilman Russell and seconded by Councilman Ovitt 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 Application of Orange Belt Stages for 20% increase in fares. (Recommend application be received and filed.)

G-2 Departmental Reports:
a. Finance Department Report of Utility Terminations
b. Police Department Activity Reports
c. Finance Department Report of utilities turned over for collection.
d. Monthly Report for Municipal Services - Dec. 1984
(Recommend Reports be received and filed.)

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G-3 San Luis Obispo County Salinas Reservoir Monthly Operational Report. (Recommend report be received and filed with copies to Engineering and Planning Departments.)

G-4 COMMISSION/COMMITTEE/BOARD MINUTES

a. Regular meeting of Senior Citizens Advisory Board for January 14, 1985.)

b. Regular meeting of Parks and Recreation Advisory Committee for January 14, 1985.

c. Airport Advisory Committee meeting of January 17, 1985.

d. Traffic Safety Commission meeting of January 16, 1985.

(Recommend minutes be received and filed.)

G-5 Memo from Finance Director reviewing business license file. (Recommend file be reviewed and approved.)

G-7 Memo from Finance Director presenting letter of request from Attorney Fairbairn to participate as committee member in meetings to discuss adjustments to existing sewer and water rates. (Recommend Council accept and file this request.)

G-8 Memo from Director of Municipal Services recommending Council accept the recommendations of the Traffic Safety Commission and authorize placement of traffic control signs. (Recommend approval.)

G-9 Memo from Director of Municipal Services presenting Resolution No. 2971, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES ESTABLISHING A NO PARKING ZONE (25 ft. South of Kragens Auto on Spring St.) (Recommend adoption.)

G-10 Memo from Finance Director requesting approval to transfer \$5,000 from Council's Contingency Fund to Council's Land acquisition fund for deposit into escrow for purchase of Boatman property. (Recommend approval.)

G-11 Memo from Director of Municipal Services recommending approval of Final Parcel Map PR 84-241 - William Daniel, and authorize Mayor and City Clerk to sign map. (Recommend approval.)

G-13 Memo from Director of Municipal Services recommending approval of Final Parcel Map PR 84-264 - Keulen - and authorize the Mayor and City Clerk to sign map. (Recommend approval.)

4. There was no discussion on Item G-6 which was pulled off the Consent Calendar on request of Councilwoman Cousins. Upon

motion by Councilman Ovitt, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 2973, A RESOLUTION APPROVING A SUPPLEMENTAL APPROPRIATION OF ANNEXATION BRIDGE FEE FUND #336 FOR \$10,500 FOR THE FISCAL YEAR 1984/1985 be read by title only. The City Manager read the Resolution by title. Motion was made by Councilman Russell, seconded by Councilman Ovitt that Resolution No. 2973 be adopted. Motion passed by the following roll call vote:

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

5. The minutes of the regular meeting of the Planning Commission of January 22, 1985 were reviewed by Councilman Thorndyke. Upon suggestion by Councilman Russell, the Council added Condition No. 2 to Item A, Street Abandonment - 15th Street West of Riverside, which reads: Curb, gutter and sidewalk and paving transition be placed on Riverside Avenue adjacent to 15th Street for the length of the closing. The Council also made a clarification of Item F, Improvement Waiver, 4th Street, Rod Jarmin, stating that improvements only of sidewalk be waived on 4th Street but all public improvements would be waived on Oak Street adjacent to this development. Councilman Russell discussed Item B, Tract 1253, Paso Robles Investments, and recommended that Airport Road be a paved road from the proposed development to Union Road. This item was discussed at length. Motion was made by Councilman Ovitt and seconded by Councilwoman Cousins that the Council accept the minutes of the Planning Commission with the following two items; Condition No. 2 on Item A and the clarification on Item F, added. The motion passed by the following roll call vote:

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

6. The City Manager presented a memo regarding a legal opinion the City had received from Attorney Stradling regarding establishing a toll bridge on the 13th Street River Crossing. Mr. Stradling was of the opinion that the City could not establish a toll facility on the 13th Street River Crossing at this time without going to the California Legislature and asking for special legislation to do so. Motion was made by Councilman Ovitt, seconded by Councilman Russell that the City Council table the toll bridge concept at this time and pursue other funding mechanisms. Motion passed by the following roll call vote:

AYES: Councilpersons Ovitt, Russell, Thorndyke, and Stemper

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NOES: Councilwoman Cousins
ABSENT: None

Councilwoman Cousins made the statement that Caltrans' attorneys had previously stated that the City could establish a toll bridge on 13th Street and she wished that avenue pursued. Motion was made by Councilwoman Cousins, seconded by Councilman Ovitt to have staff again contact Caltrans' attorneys regarding the toll bridge. Motion passed by the following roll call vote:

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

7. The City Manager read his memo on the matter of remote interest regarding Palla Equipment. Motion was made by Councilman Ovitt, seconded by Councilwoman Cousins that the Council adopt the findings that 1). Councilman Russell has explained his financial interest in Palla Equipment being less than 10% and that 2). the City has been doing business with Palla Equipment for at least 5 years prior to Councilman Russell's term on the Council. Motion passed by the following roll call vote:

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

Motion was then made by Councilman Ovitt, seconded by Councilman Thorndyke that Palla Equipment be reinstated to the City's bid list. Motion passed by the following roll call vote:

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

8. The City Manager related to the Council that letters of support for the Niblick Bridge have been coming into the City. The City has received approximately 23 letters of support to this date and more are coming in every day.

At this time Councilwoman Cousins brought up the fact that Carollo Engineers is now working on the east approach for the bridge design and that this east approach could be a white elephant for the City if additional funds cannot be raised to complete the project. However, she did state the Mayor and

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staff have been working with developers to sell certificates to raise money and that there are a number of developers who would be willing to put up approximately 2 million dollars upfront to help the City construct the bridge. Mayor Stemper stated that the City will build a bridge, and the recent suggestions by some people in the City that a bridge should be built either north or south of the city limits does not accomplish better circulation for the City.

Mayor Stemper complimented the developers for their trying to help the City work out this problem. Councilman Russell also stated that even if we need to build as we go that we will go forward with the project. He also complimented the developers for their offer to help. Councilman Thorndyke stated that much of the needed County support has not been forthcoming and he would like to see the County take a more active role in support of the project.

9. The City Manager brought up the matter of the requested lease transfer from UCO Air to Patroline at the airport. The City Manager recommended that the transfer take place subject to staff reviewing the final documents. Upon motion by Councilwoman Cousins, seconded by Councilman Ovitt and approved unanimously that Patroline be able to assume the lease by UCO Air at the airport with the staff to work out the details and the Mayor and City Clerk be authorized to sign the appropriate documents.

10. The City Manager requested a short closed session after the regular meeting to discuss Quail Run litigation.

11. The Finance Director presented quarterly financial statements for the Council's review. It was the consensus of the Council that they would review these and discuss the financial statements at their meeting of March 5, 1985.

12. Chief Bob Adams presented the Fire Department year-end report. The number of responses and incidents are up for the year. The Chief was thanked for his fine report and new report format which was much easier to read and more understandable.

13. The Director of Municipal Services presented Resolution No. 2974, A RESOLUTION ACCEPTING GRANT DEED FOR STREET RIGHT-OF-WAY IN THE CITY, which was for acceptance of property on Sims Avenue. On motion by Councilman Ovitt, seconded by Councilman Russell, and approved unanimously that this Resolution be read by title only. The City Manager read the title of Resolution No. 2974.

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Motion was made by Councilman Russell, seconded by Councilman Thorndyke and passed unanimously that Resolution No. 2974 be adopted.

14. Sidney Godsey, Administrative Assistant presented the Annual Affirmative Action Report on behalf of the City for the Council's information. The City will continue to strive to meet its affirmative action goals.

15. The City Council on motion by Councilman Russell, seconded by Councilman Ovitt and passed unanimously appointed Mr. Louis Finkel to another four year term with the Housing Authority.

16. The City Manager presented a letter from the Airport Manager of his intent to retire in July 1985. It was upon motion by Councilman Russell, seconded by Councilman Ovitt that the Council regretfully accept the letter of intent to retire and thanked Mr. Miller for a job well done over the years with the City of Paso Robles.

17. The matter of Planning Commission Use Permit 84040 (Car Wash - 24th Street) which was carried over from the January 15, 1985 meeting was presented for discussion. Councilwoman Cousins was adamantly opposed to the project and felt for safety reasons that it should not be located in that area. Mr. Weingartner and Mr. Loftlin appeared to speak against the project.

Motion was made by Councilwoman Cousins, seconded by Councilman Russell that the City Council find the project is not in conformance with health, safety, and welfare of the citizens of Paso Robles and that due to the traffic impact of this development and the type of activity it would generate that Use Permit 84040 be denied.

Motion was passed on the following roll call vote:

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

18. Councilman Ovitt brought up the need for an alternate member at SLO COG. Betty Cousins volunteered and was appointed by the Mayor to be the alternate.

19. The Mayor made a proclamation declaring February 10, 1985 World Marriage Day. The Mayor also requested that he have permission to leave the country February 14 - February 20, 1985. Permission was granted by the Council.

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20. Councilman Thorndyke urged the Council to support the bill pending before the State Assembly which would make it legal for lottery tickets to be sold by local governments.

21. The meeting was adjourned to a closed session to discuss litigation with the Quail Run Mobile Home Park. In the closed session a proposal made by the Quail Run management regarding development fees was presented and rejected by the Council.

Upon motion by Councilman Ovitt, seconded by Councilman Russell the closed session was adjourned back to the regular meeting at which time upon motion by Councilwoman Cousins, seconded by Councilman Thorndyke the meeting was adjourned to a study session on February 13, 1985 at 5:30 p.m.

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 REGUALR MEETING.