

MINUTES OF THE REGULAR MEETING
PASO ROBLES CITY COUNCIL
SEPTEMBER 19, 1978

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 Schwartz at 7:30 p.m. in the City Council Chambers with the following Councilmen answering roll: Hanson, Hurst, Minshull, Stemper and Schwartz; none being absent.

1. The minutes of the regular meeting of September 5, 1978 and the adjourned meeting of September 18, 1978 are presented and approved.
2. Motion by Councilman Minshull, seconded by Councilman Stemper that the following claims be paid from their respective funds is passed by the following roll call vote:

AYES: Hanson, Hurst, Minshull, Stemper and Schwartz

NOES: None

ABSENT: None

August 31, 1978	7873-7882	\$ 75,933.60
September 19, 1978	7883-7903	<u>175,412.30</u>
		\$251,345.90

3. A request and the appearances of persons regarding reconsideration of budgeting of funds for crossing guards is heard. The following persons from the school district Board of Trustees and the Marie Bauer PTA appear: Mrs. Cheri Christiansen, President of the Marie Bauer PTA; Mrs. Pat Johnson, Miss Bonnie Nelson, Dr. Bill James, Dee Clevenger, Mrs. Norma Hoss and Mrs. Margaret Weber.

A letter from Dr. James states that the Board of Trustees request that the funds that were cut for the crossing guards be reinstated.

After discussion and a report from the Chief of Police, the Council declined to reinsert the budgeted funds and the discussions further evolved that an effort would be made to create a volunteer group of parents and possibly senior citizens to assume the duties of crossing guards. The Chief of Police states that he will cooperate and train these persons for their duties. The question of liability insurance came up and the City Attorney will investigate this matter on behalf of the city and Dr. James will investigate the matter on behalf of the school district.

4. The petition from property owners on North River Road which refers to the growth of tules in the riverbed and the damaging of their properties is brought before the Council, the owners having been invited to be present at the meeting.

Mr. Ray Cooper of the Soil Conservation Service outlines the project which is now in progress which is funded from 216 emergency project funds and will be for the cleaning and bank protection of the river. This project will occupy a portion of the territory the river owners are concerned with.

The following persons appear regarding the alleged damage to their property: Mrs. Pearl Munak, Mr. Dutch Kleck, Mr. Paul Borkey and Mr. Ed Munak.

The Deputy Director of Municipal Services presents a memorandum which reviews the several meetings that were held with the property owners some two years ago in an effort to form a district for the maintenance of the river channel. The Director of Municipal Services further reviews his recollections regarding these meetings. **The Deputy Director's memo recommends that another meeting be set up with notification to all property owners along the river in hopes of getting the maintenance district set up. It is suggested that the City Attorney investigate to see if any responsibility lies with the city.**

The Mayor suggests that a new meeting of property owners be set up under the guidance of the Director of Municipal Services to discuss the river problem. No official action.

5. A memorandum from the Director of Municipal Services presenting the bids for chip seal coat for streets, Project No. MS-78-28, and a memo regarding the bids for Project No. MS-78-25, the asphalt and concrete overlay of Spring Street, 13th Street and Creston Road are carried over to an adjourned meeting at 7:00 p.m. on the 27th day of September, 1978.
6. A letter from Eagle Aviation requesting further support for their application to the Public Utilities Commission for temporary authority to begin air passenger service at the Paso Robles Municipal Airport from Paso Robles to Los Angeles is read.

The Council, on motion by Councilman Minshull, seconded by Councilman Hanson and passed unanimously authorizes the preparation of a resolution supporting the application of Eagle Aviation for temporary authority to be in passenger service between Paso Robles and Los Angeles, while Eagle Aviation's application for permanent authority is pending.

7. A letter from Advance Adapters, Inc., and owner of Lot 3 of the Sherwood Industrial tract, is read. The letter requests that their option on Lot 4 be exercised subject to certain conditions.

This matter is referred to a committee of Councilman Minshull and Mayor Schwartz who will meet and discuss the matter with the Advance Adapters management people.

8. A memorandum from the Assistant City Manager/Personnel Director regarding CETA retirement provisions is again presented for Council consideration. This matter was held over from the regular meeting of September 5, 1978.

The recommendation of the Personnel Director is that the employment of all CETA employees be continued. Further, that if it is found that the city is liable for retirement benefits for CETA employees (should the current SB 1237 not be signed by the Governor), it is the recommendation that the funds be taken from the city's unemployment insurance fund. This self-insurance fund is fully funded based on the previous total of all city employees and that total has been reduced so sufficient funds should be available to cover this contingency.

Motion by Councilman Hurst, seconded by Councilman Minshull and passed unanimously that the recommendation of the Assistant City Manager/Personnel Director regarding the retention of CETA employees be approved.

9. Motion by Councilman Minshull, seconded by Councilman Hanson and passed unanimously that those items appearing on the Consent Calendar together with their recommendations be approved. The items appearing on the Consent Calendar are as follows:
 - G-1 Copy of application and request for exemption to P.U.C. from Eagle Airlines to provide passenger air service between Los Angeles International Airport and Paso Robles Airport. (Recommend application be received and placed on file.)
 - G-2 Copy of draft of Order No. 78-66, Waste Discharge Requirements For Resthaven Park. (Recommend letter be referred to City Engineer for comments, if any, regarding the draft order.)
 - G-3 Agenda of regular meeting of San Luis Obispo County Airport Land Use Commission of September 20, 1978. (Recommend agenda be referred to Councilman Minshull, member of commission.)
 - G-4 Copy of letter from George Whiting, president of the Criminal Justice Administrators Association of San Luis Obispo County, requesting that the City Council petition Governor Brown to enact legislation to allow county to receive funds. (Recommend communication be referred to Police Chief for recommendation regarding this request.)
10. The minutes of the regular meeting of the Senior Citizens Advisory Committee of September 11, 1978 are presented and placed on file.
11. The minutes of the Traffic Safety Committee meeting of August 16, 1978 are presented and filed.
12. The minutes of the regular meeting of the City Planning Commission of September 12, 1978 are presented and reviewed by Councilman Minshull. Following the review it was moved by Councilman Minshull, seconded by Councilman Hanson and passed unanimously that the City Council approves the actions of the Planning Commission and adopts the findings and conditions as set forth in the minutes of the regular meeting of the Planning Commission of September 12, 1978.
13. The minutes of the Parks and Recreation Advisory Committee meeting of September 11, 1978 were presented, reviewed by Councilman Stemper and placed on file.
14. The monthly report for the Planning and Building Department for August, 1978 is presented and placed on file.
15. The Recreation Department Activity Report for the month of August, 1978 and the Senior Citizens Services monthly report for August, 1978 are presented and filed.
16. The Airport Activity Report for the month of August, 1978 is presented and filed.
17. The Municipal Services monthly report for August, 1978 is presented and filed.

18. The City Clerk presents the statement from the Department of Animal Regulations for the 1977-78 fiscal year which shows the total cost of services, revenue, net billed, and the amount the contract is not to exceed. The Clerk states that the Council had budgeted \$5,700 for payment of the contractual cost and states that this will be paid.

19. A letter from the San Luis Obispo Area Council of Governments requesting payment of the insurance premium and administrative charge in the amount of \$1,837.82 for insurance policies on the senior van is presented.

Motion by Councilman Hanson, seconded by Councilman Hurst that the payment for the insurance premium be authorized pursuant to the approved budget.

20. A claim from Pacific Telephone and Telegraph Company in the amount of \$164.60 is presented together with a memorandum from the Deputy Director of Municipal Services. This was for damage done to an underground utility of the telephone company during the installation of a water meter service. The Deputy Director recommends that \$164.60 be allocated from the water fund to pay the claim of Pacific Telephone and Telegraph Company.

Motion by Councilman Hurst, seconded by Councilman Minshull and passed unanimously that the recommendation of the Deputy Director of Municipal Services be approved.

21. The City Clerk presents a request from the Downtown Improvement Committee that funds be allocated from the district parking and improvements funds for the sealing and striping of the "Wilson" parking lot.

Motion by Councilman Hurst, seconded by Councilman Minshull and passed unanimously that the request of the Downtown Improvement Committee be approved.

22. A request from Coker Ellsworth, Inc., real estate broker and general contractor, that the portion of 20th Street from Pine to the RR/RW be closed is referred to the City Planning Commission with the request that the Planning Commission inform the applicant that all costs of the closing would be charged to the applicant.

23. The City Manager requests that the Council meet in executive session after this meeting on a personnel matter.

24. A memorandum from the Assistant City Manager presents amendments to the city's adopted policy of June 28, 1978 regarding the participation in the city's group medical program by retiring employees.

After discussion regarding this matter it was moved by Councilman Hurst, seconded by Councilman Minshull and passed unanimously that the policy adopted regarding the retiring employees and medical program be amended to provide the following:

1. The insurance carrier will bill the city for premiums and collect said premiums from their retired employees.

2. The city will show that if available, the Two-Year Family Survivor's Benefit will be included.

3. If available, the coordination of benefits with Medicare Benefits will be included.

25. The City Attorney states that one of the property owners whose property was declared to have been excess to the clear zone and whose property will not be purchased in the clear zone acquisition has stated their concern regarding the possible abandonment of Airport Road. The City Attorney requests that the Council, by minute action, state that they have no intention of vacating or abandoning Airport Road.

Motion by Councilman Hurst, seconded by Councilman Stemper and passed unanimously that the City Council of the City of Paso Robles declares there is no intention to abandon any portion of Airport Road.

26. A memorandum from the Assistant City Manager/Director of Community Development states that the grant application has been filed for Step II funding of the Wastewater Treatment Facilities - CYA.

The memo states that since time was critical, the grant request has been submitted which would require a city match of \$2,404 for upgrading of the CYA Treatment Plant. Further, that if this grant request is approved and the city chooses not to pursue the project, they may decline acceptance of the grant. No official action.

27. A memorandum from the Director of Community Development requests approval for payments on the Airport ADAP Project No. 6-06-0184-03. Statements from McGlasson & Associates for professional services in the amount of \$18,447.00, a statement from Central Coast Laboratories in the amount of \$1,922.60, and Progress Payment #2 to Granite Construction Company in the amount of \$95,687.34 are presented.

It is the recommendation of the Director that the Council approve the above mentioned statements for the parallel taxiway project and direct the Finance Director to make payment to McGlasson & Associates, Central Coast Laboratories and Granite Construction after the 90% reimbursement has been received from F.A.A.

Motion by Councilman Hanson, seconded by Councilman Minshull that the recommendation of the Director of Community Development be approved is passed by the following roll call vote:

AYES: Hanson, Hurst, Minshull, Stemper and Schwartz

NOES: None

ABSENT: None

28. A memorandum from the Deputy Director of Municipal Services responds to the letter from Mr. and Mrs. W. R. Maysey of 1229 Dorothy Street regarding the damage done by a tree in the city right-of-way to the sidewalk in front of their residence. The Deputy Director's memo recommends that a letter be sent to the subjects, Mr. and Mrs. Maysey, outlining the city's policy of property owner's responsibility in maintaining curbs, gutters and sidewalks in safe condition.

Mr. and Mrs. Maysey appear regarding the matter and the City Attorney states that according to the Street and Highway Code Sections, the property owner may be responsible for this damage. The other alternative discussed would be for the Mayseys to request the removal of the tree.

The Council requests that the City Attorney furnish a copy of the opinion and that a copy be sent to Mr. and Maysey for their information.

29. A memorandum from the Director of Municipal Services requests that an appropriation of \$200 be made to establish a revolving fund under Municipal Services Engineering Fund, No. 1, Account 2560 in order that a base map may be completed for the production of city maps. The fees from the selling of the maps would offset the cost and the revolving fund could be continued from the sale of the maps.

Motion by Councilman Hanson, seconded by Councilman Stemper that \$200 be appropriated from revenue sharing funds to create a revolving fund for the Municipal Services for the production of city maps. Motion passed by the following roll call vote:

AYES: Hanson, Hurst, Minshull, Stemper and Schwartz

NOES: None

ABSENT: None

30. Motion by Councilman Minshull, seconded by Councilman Hurst and passed unanimously that the Mayor be authorized to execute a proclamation proclaiming September 24, 1978 to be "Education Day" in the City of Paso Robles. This proclamation recognizes the Chabad Lubavitch movement's contribution to education.
31. The City Council on motion by Councilman Minshull, seconded by Councilman Hanson and passed unanimously appoints Mr. Nick Gilman to a term on the Planning Commission as a replacement for Mr. Glen Rediger. This term will expire on April 21, 1982. The appointment is effective on the 10th day of October, 1978.
32. Mayor Schwartz appoints Councilman Stemper to the bridge committee to take Mayor Schwartz's place.
33. Councilman Stemper reports the results of conversations with several engineering firms, one of which will submit a proposal regarding the river crossing.

There was further discussion regarding the bridge spans the city owns which are located near the Templeton bridge. It is stated that the latest information is that these spans are doubtful as to their use for a municipal crossing and after further discussion it was moved by Councilman Stemper, seconded by Councilman Hanson and passed unanimously that in view of the fact that the spans are no longer needed, that the purchasing agent be authorized to advertise the spans for sale under appropriate provisions of the city's code.

34. Motion by Councilman Hanson, seconded by Councilman Minshull and passed unanimously that the meeting be adjourned to an executive session to consider a personnel matter.

35. At the executive session there was no official action and on motion by Councilman Stemper, seconded by Councilman Minshull, the meeting was readjourned to regular session.
36. There being no further business it was moved by Councilman Stemper, seconded by Councilman Minshull and passed unanimously that the meeting be adjourned to 7:00 p.m. on the 27th day of September, 1978.

Donald B. Keefer
City Clerk

DBK:gp

THESE MINUTES ARE NOT OFFICIAL NOR A PERMANENT PART OF CITY RECORDS UNTIL APPROVED BY THE CITY COUNCIL AT THEIR NEXT REGULAR MEETING.

NOTICE OF ADJOURNMENT

You are hereby notified that the Regular
meeting of the City Council of the City of Paso Robles, Cali-
fornia, held on September 19, 1978 at 7:30 p.m. in the Council
Chambers, City Hall, 1030 Spring Street, Paso Robles, Califor-
nia, has been adjourned to September 27, 1978 at 7:00 p.m.
in the Council Chambers, City Hall 1030 Spring Street, Paso
Robles, California.

Dated: September 20, 1978

CITY COUNCIL OF THE CITY OF PASO ROBLES

By: _____

Donald P. Steep
City Clerk

The foregoing Notice of Adjournment was posted by
me on September 20, 1978, on or near the door of the Council
Chambers, City Hall, 1030 Spring Street, Paso Robles, California.

Donald P. Steep
City Clerk