



**CITY OF EL PASO DE ROBLES**  
*"The Pass of the Oaks"*

**CITY COUNCIL MINUTES**

**Tuesday, June 17, 2008 7:30 PM**

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL  
CONFERENCE CENTER, 1000 SPRING STREET**

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**PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR  
TO THE MEETING WITH A COPY TO THE CITY CLERK**

**7:30 PM – CONVENE REGULAR MEETING**

**CALL TO ORDER** – Downstairs Conference Center

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

**ROLL CALL** Councilmembers John Hamon Gary Nemeth, Duane Picanco, Fred Strong, and Frank Mecham

**PUBLIC COMMENTS**

- Pearl Munak, Transitional Food & Shelter, recognition of Councilmember Picanco and Councilman Hamon for the City's continued financial support.
- Dave LaRue, re-opening of Wellsona Crossing
- John Borst, comments regarding the Urban Water Management Plan, water resource education campaign
- Kathleen Haas, road repair South Vine Street

**AGENDA ITEMS TO BE DEFERRED (IF ANY)** - None

## PRESENTATION

1. Kermit King Elementary School  
2008 California Distinguished School Award – Principal Paul Corso  
F. Mecham, Mayor

Dr. Kathleen McNamara, Superintendent of Paso Robles Joint Unified School District, Debi Saunders, President, Paso Robles School Board, and Paul Corso, Principal accepted the proclamations.

## PUBLIC HEARINGS

2. Annual Levy Report for the Landscape and Lighting District No. 1  
D. Monn, Director of Public Works

The City Council held a Public Hearing to receive public testimony regarding the annual levy of the Landscape and Lighting District No. 1, and adopt resolutions to order the collection of assessments for Fiscal Year 2008-2009. Dennis Fansler presented the staff report.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Nemeth, moved to adopt Resolution No. 08-088 approving the Engineer's Report; and Resolution No. 08-089 ordering the levy and collection of Assessments

Motion passed by the following unanimous roll call vote:

AYES: Hamon, Nemeth, Picanco, Strong, and Mecham  
NOES:  
ABSTAIN:  
ABSENT:

## CONSENT CALENDAR

Mayor Mecham called for public comments on Consent Calendar items. There were no comments from the public, either written or oral, and the public discussion was closed.

3. Approve City Council minutes of June 3, 2008
4. Approve Warrant Register: Nos. 77717—77810 (05/30/08) and 77811—77949 (06/06/08)
5. Receive and file Advisory Body Committee minutes as follows:  
Senior Citizen Advisory Committee meeting of May 12, 2008  
Youth Commission meeting of May 7, 2008
6. Adopt Resolution No. 08-090 requesting the Board of Supervisors of San Luis Obispo County to consolidate a General Municipal Election to be held on November 4, 2008, with the statewide General Election, pursuant to §10403 of the Elections Code.
7. Adopt Resolution No. 08-091 calling and giving notice of the holding of a General Municipal Election to be held on November 4, 2008 for the purpose of electing a Mayor for the full term of two years; two Members of the City Council, City Treasurer, and City Clerk, for full terms of four years.

8. Adopt Resolution No. 08-092 adopting regulations for candidates statements for elective office pertaining to candidate statements submitted to voters at the election to be held Tuesday, November 4, 2008.
9. Adopt Resolution No. 08-093 accepting the recording of Parcel Map PR-07-0157, a three-lot commercial subdivision located at 500 South River Road. All conditions imposed by the Planning Commission have been satisfied (Kennedy).
10. Adopt Resolution No. 08-094 authorizing a reimbursement to developer of PD 01-030 for the cost of over-sizing a 16-inch water main along the frontage road of property on Dry Creek Road, in the amount of \$16,135. The water line is complete to the satisfaction of the Water Division, and is currently operating (Nunno).

Consent Calendar Items Nos. 3-10 were approved on a single motion by Councilmember Nemeth, seconded by Councilmember Picanco.

Motion passed by the following unanimous roll call vote:

AYES: Hamon, Nemeth, Picanco, Strong, and Mecham  
 NOES:  
 ABSTAIN:  
 ABSENT:

## DISCUSSION

Councilmember Picanco recused himself from discussion of Item No. 11 due to family members residing in the area under consideration and left the dais.

### 11. Sand Mine Applications in the North County

R. Whisenand, Community Development Director

The City Council considered mitigation of impacts on City streets resulting from sand mine operations in the unincorporated area of the North County. (Continued from May 20, 2008). John Falkenstien presented the staff report.

Mayor Mecham opened the public hearing. Speaking from the public was John Beale, Ole Viborg, Joe Plummer, David LaRue, Patty Davis, Debra Compton. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Hamon, moved to direct staff to write a letter to the County Planning Department, copy to County Public Works Department, requesting that they include conditions of approval of any sand mine permit contributing truck traffic to Airport Road to:

1. enter into a road maintenance agreement with the City to provide funding to maintain Airport Road paving in accordance with the City's Pavement Management Program from Highway 46 to Tower Road; and
2. to contribute one-tenth of one percent of the estimated cost of Airport Road-Highway 46E improvements for every 10 average daily trips projected by the application.

Motion passed by the following roll call vote:

AYES: Hamon, Nemeth, Strong, and Mecham  
 NOES:  
 ABSTAIN: Picanco  
 ABSENT:

On a second motion by Councilmember Strong, seconded by Councilmember Nemeth, by unanimous voice vote, Council also directed staff to send a second letter to the County Planning Department, copy to County Public Works, to recommend that the County re-open the Wellsona Road crossing to mitigate the impacts of truck traffic on City streets.

**12. Sodium Hypochlorite Facility at Wastewater Treatment Plant**

D. Monn, Director of Public Works

The City Council awarded a construction management services contract for construction of a sodium hypochlorite facility at the Wastewater Treatment Plant.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Hamon, seconded by Councilmember Nemeth, moved to award the construction oversight contract to install a new sodium hypochlorite facility at the Wastewater Treatment Plant to ATS, Inc. for a not-to-exceed amount of \$97,775.

Motion passed by the following unanimous roll call vote:

AYES: Hamon, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

Councilmember Picanco returned to his seat on the dais.

**13. Storm Water Management**

D. Monn, Director of Public Works

The City Council awarded a contact to the Wallace Group to assist staff with implementation of its Year 3 Storm Water Management Plan.

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Strong, moved to authorize the services of the Wallace Group to prepare Year 3 tasks of the City's Storm Water Management Plan for a not-to-exceed fee of \$12,800.

Motion passed by the following unanimous roll call vote:

AYES: Hamon, Nemeth, Picanco, Strong, and Mecham

NOES:

ABSTAIN:

ABSENT:

**COUNCIL COMMENTS (Including oral reports on conferences attended)**

Mayor Mecham reported on Council attendance at the League of California Cities Mayor and Councilmembers Executive Conference held June 4-6, 2008 in Squaw Creek, CA.

**ADJOURNMENT at 9:00 PM.**

<b>Social</b>	<b>Workshops</b>	<b>Meetings</b>
<u>Friday, June 20, 2008</u> Closing Ceremony for El Paso de Robles Youth Correctional Facility, at 11:00 AM, 4545 Airport Road, Paso Robles, CA	<u>Wednesday, June 25, 2008</u> Presentation/Workshop Highway 46West/101 Project Engineering Meeting, at 5:00 PM at the Library/City Hall Conference Center, 1000 Spring Street	<u>Wednesday, June 18, 2008</u> Adjourned Special Meeting Advisory Body Meeting Water Education, at 12:00 PM noon, Library/City Hall Conference Center, 1000 Spring Street <u>Thursday, June 19, 2008</u> Adjourned Regular Meeting Interview Advisory Body Applicants, at 7:00 PM, Library/City Hall Conference Cent <u>Tuesday, July 1, 2008</u> The Regular Meeting at 7:30 PM on, at Library/City Hall Conference Center, 1000 Spring Street <u>Thursday, July 10, 2008</u> Adjourned Regular Meeting Interview Advisory Body Applicants, at 7:00 PM, at Library/City Hall Conference Center, 1000 Spring Street

Submitted:

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Deborah D. Robinson, Deputy City Clerk  
Approved:

**THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT  
PART OF THE RECORDS UNTIL APPROVED BY THE CITY  
COUNCIL AT A FUTURE REGULAR MEETING.**

To: Paso Robles City Council  
From: John Borst

Date: June 17, 2008

Gentlemen,

The City of Paso Robles, partnering with 2 Point Media, has launched a "community-wide water resource educational campaign" to assist its officials in "gaining control of the current mixed messaging throughout the community" regarding the Nacimiento Water project. (5/6/08 Staff report and 2 Point Media Proposal, Paso Robles City Council Agenda Item 13.)

I request at this time the opportunity to: (1) distribute materials developed by Concerned Citizens for Paso Robles at kiosks in the Public Library, Senior Center, and Centennial Park; (2) display the CCPR web site address and hot link, [www.paso218.org](http://www.paso218.org), in a prominent, readily visible and easily read location on the Home web page developed by 2 Point Media, [www.pasorobleswaterproject](http://www.pasorobleswaterproject); (3) be invited by 2 Point Media in writing/e-mail to participate in mailings and media outlets they coordinate on issues related to the Nacimiento Water Project educational campaign.

A written reply to my request within a week's time is appreciated.

Thank you.

John Borst  
209 Navajo Ave.  
Paso Robles, CA

To: Paso Robles City Council  
From: John Borst

Date: June 17, 2008

Gentlemen,

Good evening. In reading over the Urban Water Management Plan discussed at the June 3 City Council Meeting I would like to suggest the following change/addition be made on page 14 of the document.

At the bottom of page 14 it currently reads:

"Execution of the Paso Robles Groundwater Basin Agreement and initiation of cooperative groundwater monitoring and management reduces the likelihood of overdraft and water rights disputes and promotes the long-term reliability of groundwater supplies."

I would like to see the below statement of case law directly follow the above quoted sentence:

**Each overlying owner in the Groundwater Basin has a correlative right to available water: "if the quantity is insufficient, each overlying owner is limited to his proportionate fair share of the total amount available based upon his reasonable need. (*Tehachapi-Cummings County Water Dist. v. Armstrong, supra*, 49 Cal.App.3d 992, 1001.)"**

I believe adding such a statement is consistent with the City water resource goal of "maintain strong water rights position," and clarifies to the public the City's Groundwater Basin water right under current law.

Thank you.

John Borst  
209 Navajo Ave.  
Paso Robles, CA