



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

CITY COUNCIL MINUTES

Tuesday, October 21, 2008 7:30 PM

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

**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 – Led by Pat Sheean

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

PUBLIC COMMENTS

- Annie Robb, Director of Library and Recreation Services, introduced Rebecca Horne, Chair of the 2008/2009 Youth Commission
- Norma Moye introduced a new merchant within the downtown core, "Earthtones Gifts & Gallery"
- John Borst, proposed water rates.

The City Manager Jim App provided copies of correspondence between the City Attorney and the Howard Jarvis Taxpayer's Association (copy attached).

AGENDA ITEMS TO BE DEFERRED

The City Manager App Council that Agenda Item No. 13 was recommended for continuance by staff.

PRESENTATIONS

By General Consent, Mayor Mecham pulled Item No. 5 from the Consent Calendar and presented the proclamation designating October 2008 as "Energy Efficiency Awareness Month" to Pacific Gas & Electric (PG&E) spokesman, Tom Jones.

PUBLIC HEARINGS

1. **Amend Established Underground District for Overhead Utilities**

D. Monn, Director of Public Works

On September 16, 2008 the City Council adopted a resolution which proposed amending the location of Underground District No. 5 to Riverside Avenue, 10th Street to 24th Street, noticed the affected property owners, and set October 21, 2008 for the Public Hearing.

Mayor Mecham opened the public hearing. Speaking from the public was Karl Hanson, Paul Viborg and Bill Culver. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Strong, moved to adopt Resolution No. 08-155, to:

- a. Amend Underground District No. 5 to cover Riverside Avenue from 10th Street to 24th Street; and
- b. Waive any applicable electrical permit and inspection fees associated with any undergrounding, modification, or changeover caused as a result of the implementation of the undergrounding; and
- c. Set dates, estimated to occur in 2011, related to the undergrounding of the utilities.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

2. **Long Term Airport Lease – 3077 Rollie Gates Drive**

M. Williamson, Assistant City Manager

The City Council introduced an Ordinance authorizing the a long term lease for a period of up to 99 years for property located at 3077 Rollie Gates Drive.

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

Councilmember Strong, seconded by Councilmember Picanco, moved to introduce Ordinance No. 949 N.S., authorizing the a long term lease for a period of up to 99 years for property located at 3077 Rollie Gates Drive, to allow the development expansion of an existing medical device component manufacturing facility, known as Specialty Silicone Fabricators Inc.; and set November 4, 2008 for adoption of said Ordinance.

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. Kathy Barnett requested that Item No. 3 be pulled for discussion. There were no further comments from the public, either written or oral, and the public discussion was closed.

3. **(Pulled for Discussion following Item No. 15).** Approve City Council minutes of October 7, 2008
4. Approve Warrant Register: Nos. 80207—80288 (10/03/08) and 80289—80401 (10/10/08)
5. **(Presented Earlier)** Proclamation designating October 2008 as Energy Efficiency Awareness Month
6. Adopt Resolution No. 08-156 approving updated and reformatted Classification descriptions for the Emergency Services Department I.A.F.F. positions.
7. Adopt Resolution 08-157 authorizing an 11-month contract with Blue Cross for employee group medical coverage, offering two health plan options, as provided for in current or side letter employee group contracts.
8. Adopt Resolution No. 08-158 accepting the recordation of Parcel Map PR 07-0294, a three-lot commercial subdivision located at the southerly terminus of Hughes Parkway (Dry Creek Partners).
9. Adopt Resolution No. 08-159 authorizing acceptance of University of California School of Public Health, California Office of Traffic Safety State grant funds of up to \$15,000 for reimbursement of personnel costs associated with enforcement operations targeting seatbelt violations
10. Adopt Resolution No. 08-160 authorizing the approval of the Security Information Policy, or “Red Flag” policy, as required by the Federal Trade Commission. The FTC is requiring the formal adoption by City Council of a policy and procedure to deal with identity theft. According to the FTC, since the City defers payment by its customers when water is sold to customers day-by-day, but paid for at the end of the billing cycle, the City is a creditor.
11. Approve the dissolution of two Ad Hoc Committees as the work of these committees is now complete. (ADA Transition Plan and Gateway Design Standards)

Consent Calendar Items Nos. 4-11 were approved on a single motion by Councilmember Strong, seconded by Councilmember Hamon.

Motion passed by the following unanimous roll call vote:

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

DISCUSSION

12. Proposed Water Rate Methodology

D. Monn, Public Works Director

Mayor Mecham opened the public hearing. Speaking from the public was Tom Flynn, Karl Hansen, Kathy Barnett, John Borst, Tom Rusch, and Tom Hardwick. 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 select a pay-as-you-go rate methodology and authorized staff to proceed with property owner and water customer notification consistent with requirements of the Proposition 218 process (for property related fees).

Motion passed by the following unanimous roll call vote:

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

13. Library/City Council Conference Room – Audio, Video and Control Systems Replacement

D. Monn, Public Works Director

The item was recommended for continuance to clarify items and develop additional options for replacement of the City Hall Council audio, video, and control systems.

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

By General Consent on a motion by Councilmember Strong, seconded by Councilmember Hamon, Council moved to continue the item to the November 18, 2008 City Council meeting.

14. Extension of Contract with 2 Point Media

D. Monn, Public Works Director

The City Council considered amending its contract with 2 Point Media to continue providing public information services through completion of the water rate and capacity charge studies.

Mayor Mecham opened the public hearing. Speaking from the public was John Borst, and Dennis Cassidy. There were no further 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. 08-161 to extend the services provided by 2 Point Media associated with the water user rate studies and amend the existing contractual arrangements on a time and materials basis.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

By General Consent Council moved to bring the item back at the November 18, 2008 City Council meeting, to allow staff time to provide estimates of anticipated hours to complete the public information assistance regarding water rates.

15. Ice Cream Vendor Permit

J. Throop, Administrative Services Director

The City Council granted permission to T & C Aloha Ice Cream to conduct business within the City for the remainder of Fiscal Year 2009.

Mayor Mecham opened the public hearing. Speaking from the public was Timothy Lee Buchanan, the Applicant. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Hamon, seconded by Councilmember Strong, moved to adopt a revised Resolution No. 08-162 to:

1. allow for T & C Aloha Ice Cream to conduct business from a mobile ice cream unit only after successful completion of a background check by the PRPD, and obtaining all necessary permits and licenses; and
2. allow permission to operate a mobile ice cream unit for the time remaining in Fiscal Year 2009 for residential areas of the City only, and by invitation to special events occurring within other zones the City Limits; and
3. direct staff to coordinate an amendment to the City Municipal Code that directs approval of these requests to the Administrative Services Department; and
4. direct staff to update the City's Municipal Code related to vendors/peddlers.

Motion passed by the following unanimous roll call vote:

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

NOES:

ABSTAIN:

ABSENT:

3. (Pulled for Discussion). Approve City Council minutes of October 7, 2008

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

By General Consent, Council approved the Minutes of October 7, 2008.

COUNCIL COMMENTS (Including oral reports on conferences attended)

ADJOURNMENT:

Social

Friday, October 24, 2008, 4:00 PM
San Luis Obispo County Superior
Court – Grand Opening Ceremony
North County Courthouse,
901 Park Street, Paso Robles

Monday, October 27, 2008 5:00 PM
Mid-State Fair Board of Directors
Reception for PCCHA at the
Paso Robles Event Center

Saturday, November 1, 2008 6:30 PM
PCCHA Sponsors Dinner, at the
Paso Robles Event Center

Meetings

Thursday, October 23, 2008 7:00 PM
The Adjourned Regular Meeting to
Interview Applicants for Appointment to
Citizens Airport Advisory Committee, at
the Library/City Hall Conference Center,
1000 Spring Street

Tuesday, November 4, 2008
The Regular Meeting at 7:30 PM on, at
the Library/City Hall Conference Center,
1000 Spring Street

Submitted:

Deborah D. Robinson, Deputy City Clerk
Approved: November 4, 2008