



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, December 16, 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

ROLL CALL Councilmembers Nick Gilman, John Hamon, Ed Steinbeck, Fred Strong, and Mayor Duane Picanco,

PUBLIC COMMENTS

- Denise Surber, in regards to Library Resources.
- Library & Recreation Director Annie Robb introduces two members of the Youth Commissioners Margarita Uribe and Alma Lopez who each addressed the Council.
- John Borst presented and asked to have placed into record a letter from Cynthia Hawley on behalf of Concerned Citizens.
- Timothy Buchanon TNC Aloha Ice Cream, requests a temporary business license until D.O.J. is completed.

PUBLIC HEARINGS

1. **Mitigated Negative Declaration for Paso Robles (Nacimiento) Water Treatment Plant and Main East Pipeline**

R. Whisenand, Community Development Director

(Continued from the October 7, 2008 and November 18, 2008 Regular Meetings)

Mayor Picanco 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.

On a motion by Councilmember Strong, seconded by Councilmember Hamon, by General Consent, the City Council continued the discussion of a Mitigated Negative Declaration for the Paso Robles (Nacimiento) Water Treatment Plant and Main East Pipeline to February 3, 2009, to provide sufficient time to evaluate the greenhouse gas impacts and ensure compliance with the California Environmental Quality Act (CEQA).

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong, and Picanco

NOES:

ABSTAIN:

ABSENT:

CONSENT CALENDAR

Mayor Picanco 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.

2. Approve City Council minutes of December 2, 2008
3. Approve Warrant Register: Nos. 81223—81363 (11/26/08) and 81364—81458 (12/05/08)
4. Receive and file Advisory Body Committee minutes as follows:
Youth Commission meeting of November 5, 2008
5. Read, by title only, and adopt Ordinance No. 952 N.S., establishing the Paso Robles Tourism and Lodging Promotions Business Improvement District pursuant to the Parking and Business Improvement Law of 1989 *(First reading December 2, 2008)*.
6. Adopt Resolution No. 08-193 authorizing the recordation of Parcel Map PR 04-0310, a 12-lot subdivision located on Golden Hill Road and Tractor Street (Weyrick)
7. Adopt Resolution No. 08-194 accepting the public improvements of Parcel Map PR 04-0310, located along Golden Hill, N of Highway 46E, and providing connection of Tractor Way to Golden Hill Road and Dallons Drive, into the City's maintenance system (Weyrick).
8. Adopt Resolution No. 08-195 authorizing the recordation of Tract 2972, a condominium subdivision of two buildings into 32 units located at 3500 Dry Creek Road (Nunno).

Consent Calendar Items Nos. 2 - 5 were approved on a single motion by Councilmember Hamon, seconded by Councilmember Strong.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco
NOES:
ABSTAIN:
ABSENT:

For Consent Calendar Items Nos. 6 – 8.

AYES: Gilman, Hamon, Strong and Picanco
NOES:
ABSTAIN: Steinbeck
ABSENT:

DISCUSSION

9. Proposition 1B Local Streets Maintenance & Upgrades

D. Monn, Public Works Director

The City Council considered accepting Proposition 1B funds for the South Vine Project. To receive funds the City must apply to the State by December 31, 2008.

Mayor Picanco 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 Hamon, moved to direct staff to submit an allocation request to the State Controller's Office for Proposition 1B funds in the amount of \$438,765 for the South Vine Pavement Upgrade/Rehab Project.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco
NOES:
ABSTAIN:
ABSENT:

10. State Route 101/46 East Improvements

D. Monn, Public Works Director

The City Council considered accepting State grants and provide matching funding commitments to construct improvements associated with State Route 101/46 East.

Mayor Picanco opened the public hearing. Speaking from the public was Dale Gustin. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Steinbeck, moved to adopt Resolution No. 08-196, accepting grants from SLOCOG and Caltrans; and committing the City's share of \$1,500,000 to the project from Traffic Impact fees.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

**11. Widen South Vine for Class II Bike Lanes:
Adopt Budget and Award Construction Contract**

D. Monn, Public Works Director

The City Council established a budget and awarded a construction contract to widen South Vine Street for Class II bike lanes. On November 13, 2008 eight bids were received with the Basis of Bid Award amount ranging from \$2,170,000.21 to \$3,437,490.

Mayor Picanco opened the public hearing. Speaking from the public was Dale Gustin, Sheila Baker, Cody Ferguson, Don Jones, Jason Papich, and Tom Hardwick. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Hamon, moved to adopt Resolution No. 08-197 to appropriate a budget of \$2,741,886, utilizing all grant funding available; and waive immaterial defects in Rockwood's bid; and award a construction contract to widen South Vine Street to install Class II bike lanes to Rockwood General Contractors in the not to exceed amount of \$2,026,080.21.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

12. Water Treatment for Ronconi Wells

D. Monn, Public Works Director

The City Council authorized the purchase of a Pall Corporation mobile water treatment unit for the Ronconi Wells.

Mayor Picanco 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 Strong, moved to adopt Resolution No. 08-198 authorizing the purchase order to Pall Corporation for an amount not-to-exceed \$870,000; and directing City staff to issue purchase orders for required appurtenances in an amount not-to-exceed \$205,000.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

13. Appointment of Members to Council Liaison Committees

D. Picanco, Mayor

(Continued from December 2, 2008).

By General Consent, Appointment of members to Council liaison committees were assigned. (See attached listing)

VOICE VOTE: PASSED UNAMIOUSLY

14. Reschedule City Council Meeting – January 2009

J. App, City Manager

The City Council considered alternative dates for the regularly scheduled January 20, 2009 City Council meeting due to Council attendance at a League of California Cities Conference.

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

NO ACTION TAKEN TO RESCHEDULE

ADVISORY BODY COMMUNICATION

15. Schedule Dates for Applicant Interviews/Appointments for Planning Commission and Project Area Committee Vacancies

R. Whisenand, Community Development Director

The City Council set dates for interviews of applicants for filling vacancies on the Planning Commission and Project Area Committee.

General Consent moved to set Thursday, January 8, 2009 at 7:00 PM as the date for interviewing applicants and making appointments to the Planning Commission; and set Thursday, January 15, 2009 at 7:00 PM as the date for interviewing applicants and making appointments to the Project Area Committee.

VOICE VOTE: PASSED UNANIMOUSLY

CLOSED SESSION – ADJOURNED TO CLOSED SESSION AT 8:35 P.M.

City Attorney Iris Yang announced Council's authority to go into closed session to discuss the item listed on the agenda.

a. Conference with Legal Counsel – Anticipated Litigation

Government Code Section 54956.9 (b)

Significant exposure to litigation (facts and circumstances not known to adverse party)

Number of cases: Two

It was the consensus of Council to adjourn from regular session at TIME PM.

The City Council thereupon adjourned to Closed Session in the 2nd floor Large Conference Room.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 9:59 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Iris Yang announced that there was no reportable actions taken.

By unanimous voice vote, Council moved to adjourn from regular session at 10:00 P.M.

ADJOURNMENT:

- PASO ROBLES CHAMBER OF COMMERCE BOARD OF DIRECTORS HOLIDAY RECEPTION, AT 5:00 PM, AT LA BELLASERA HOTEL & SUITES, 206 ALEXA CT, PASO ROBLES
- THE JOINT PLANNING COMMISSION / CITY COUNCIL BREAKFAST MEETING AT 7:00 AM, FRIDAY, DECEMBER 19, 2008 AT THE TOUCH OF PASO RESTURANT, PASO ROBLES
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, JANUARY 6, 2009, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Submitted:

Cathy M. David, Deputy City Clerk
Approved: 01-06-2009