



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

**CITY COUNCIL MINUTES**

**Tuesday, April 21, 2009 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 Nick Gilman, Fred Strong, and  
Mayor Duane Picanco

**ABSENT** Councilmember Ed Steinbeck

**PUBLIC COMMENTS**

- Martin Caskey update on Paso Robles Airport Association
- Cindy Blake with SLO Regional Ride to announce May Bike Month and associated activities
- Amy Engdahl the absence of recycle bins in public areas
- Simone Michael the need for pet waste station in the downtown area
- Annie Robb Director of Library and Recreation introduced Alex Bonnifield of Youth Commission and gave an update on the Festival of the Arts

**AGENDA ITEMS TO BE DEFERRED - None**

## PRESENTATIONS

### 1. Recognition of the Paso Robles Explorers Post Outstanding Performance at the Central Valley Explorer Competition in Tulare

L. Solomon, Chief of Police

Chief of Police Lisa Solomon recognized the Paso Robles Explorers Post on their outstanding performance at the Central Valley Competition in Tulare led by Officer Kelley LaChance. Explorers recognized Explorer Lieutenant Bonnifield, Explorer Sergeant Briseno, Explorer Corporal Salas, Explorer Corporal Lopez, Explorer Martinez, Explorer Garcia, Explorer Finley, and Explorer Cabrera.

Proclamation designating April 19 – April 25, 2009 as National Volunteer Week was presented to Volunteer Coordinator Suzanne Robitaille.

D. Picanco, Mayor

Proclamation designating May 2009 as Bike Month and May 18 to May 22, 2009 as Bike to Work and School Week was presented to Cindy Blake of SLO Regional Ride Share.

D. Picanco, Mayor

Proclamation designating May 2009 as Community Action Month was presented to EOC Executive Director Biz Steinberg and recognizing the EOC is now Community Action Partners.

D. Picanco, Mayor

## PUBLIC HEARINGS

### 2. Edward Byrne Memorial Justice Assistance Grant Program (Number 16.804)

L. Solomon, Chief of Police

For the City Council to consider accepting approximately \$48,300 in FY 2010 from the Edward Byrne Memorial Justice Assistance Grant Program. The Police Department intends to use the majority of the grant funds to purchase Taser and radar units for unequipped patrol vehicles, and electronic ticketing technology. The staff report was presented by Chief of Police Lisa Solomon.

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

Councilmember Strong, seconded by Councilmember Gilman, moved to adopt Resolution 09-050 accepting the Edward Bryne Memorial Justice Assistance Grant Program Funds (Number 16.804) and approving the outlined expenditure fund.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Strong and Picanco

NOES:

ABSTAIN:

ABSENT: Steinbeck

## CONSENT CALENDAR

3. Approve City Council Minutes of April 7, 2009  
D. Fansler, City Clerk
4. Approve Warrant Register: Nos. 83534-83661 (04/03/09) and 83662—83768 (04/10/09)  
J. Throop, Administrative Services Director
5. Receive and file Advisory Body Committee Minutes as follows:  
Senior Citizens Advisory Board Meeting of March 9, 2009  
Library Board of Trustees Meeting of March 12, 2009
6. Proclamation designating May 2009 as Wine Month.  
D. Picanco, Mayor
7. Proclamation designating May 2009 as Community Action Month.  
D. Picanco, Mayor
8. Proclamation designating May 2009 as Bike Month and May 18 to May 22, 2009 as Bike to Work and School Week  
D. Picanco, Mayor
9. Proclamation designating April 19 – April 25, 2009 as National Volunteer Week  
D. Picanco, Mayor
11. Adopt Resolution 09-052 authorizing the City Manager to enter into a professional service contract with Mental Marketing on behalf of the Tourism and Promotions BID Committee.  
M. Williamson, Assistant City Manager
- 11A. Adopt Resolution No. 09-053 to approve expenditure from Fund 320 – Art in Public Places in the amount of \$4,000 for purchase of visual display panes for public art displays.  
Ann Robb, Director of Library & Recreation Services

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.

Councilmember Gilman requested that Item 10 be pulled from the Consent Calendar. Consent Calendar Items Nos. 3 – 9, 11, 11A 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, Strong and Picanco  
NOES:  
ABSTAIN:  
ABSENT: Steinbeck

## DISCUSSION

### **12. Parking Ticket Increase Due to Additional State Surcharge and Possible County Surcharge)**

J. Throop, Administrative Services Director

For the City Council to consider an increase of \$10.00 (ten dollars) in parking fines within the City of Paso Robles due to the mandated increase in State surcharges, and the possible imposition of surcharges by the County.

Mayor Picanco opened the public hearing. 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. 09-054 authorizing the Chief of Police to implement, collect, and distribute to the proper agencies surcharge of \$5.00 (ten dollars) per parking ticket and an additional \$5.00 per parking ticket when county adopts surcharge. This increase would take effect immediately (please note that Option A in Staff Report and Agenda was incorrect but the Resolution is correct).

Motion passed by the following unanimous roll call vote:

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

### **13. Wastewater Rate and Facility Charge Study**

D. Monn, Public Works Director

For the City Council to consider engaging Christine Halley (T.J. Cross Engineers) and Kennedy/Jenks Consultants to perform a wastewater needs assessment, rate and facility charge study.

Mayor Picanco opened the public hearing. Speaking from the public was Dale Gustin, Karl Hanson, John Borst and Matt Masia. 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 Resolution No. 09-XXX appropriating \$205,000 from Waste Water Treatment Operating Fund to perform a wastewater rate and fee study and authorizing the City Manager to enter into contractual arrangements with Kennedy/Jenks Consultants and Christine Halley (T.J. Cross Engineers) in that amount.

Motion failed to pass by the following roll call vote:

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

**10. Contract with MGE Underground to Rehabilitate Sewer Pipeline and Cannon Associates for Construction Management & Inspection**

D. Monn, Public Works Director

For Council to authorize City Manager to enter into contract with MGE Underground, in the amount of \$276,624.20, to rehabilitate the City's sewer pipeline at various locations; and to Cannon Associates, in a not-to-exceed fee in the amount of \$49,690, for construction management and inspection fees.

Mayor Picanco opened the public hearing. 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 Resolution No. 09-051 authorizing the City Manager to enter into contract with MGE Underground, in the amount of \$276,624.20, to rehabilitate the City's sewer pipeline at various locations; and to Cannon Associates, in a not-to-exceed fee in the amount of \$49,690, for construction management and inspection fees.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Strong and Picanco

NOES:

ABSTAIN:

ABSENT: Steinbeck

**COUNCIL COMMENTS**

- Councilmember Strong spoke on State Level Water Issues and Legislation
- Councilmember Gilman inquires as to the 4<sup>th</sup> of July fundraising efforts and requests a report be brought back that outlines the City's costs for the event.
- Councilmember Picanco inquired about sports fees.

**PUBLIC COMMENT ON CLOSED SESSION - None**

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

It was the consensus of Council to adjourn from regular session at 9:14 PM.

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

## CLOSED SESSION

**CALL TO ORDER** – Large Conference Room, 2<sup>nd</sup> Floor

**a. Conference with Legal Counsel – Existing Litigation**

Government Code Section 54956.9 (a)

Number of cases: One

**1) Case No. CV 09-8117 Filed March 27, 2009**

JOHN E. BORST, BROOKE G. MAYO, WILLIAM TAYLOR, TERESA ST. CLAIR  
AND THE CLASS OF SIMILARLY SITUATED INDIVIDUALS AND BUSINESSES  
– PLAINTIFFS, vs. THE CITY OF PASO ROBLES, AND DOES 1-1000  
INCLUSIVE, DEFENDANTS

**b. Conference with Legal Counsel – Anticipated Litigation**

Government Code Section 54956.9 (b)

Significant exposure to litigation

Number of cases: One

The City Council returned to Regular Session at 11:00 PM.

## RETURN TO OPEN SESSION

By unanimous voice vote, Council moved to adjourn from regular session at 11:00 PM.

**ADJOURMENT:**

- THE SPECIFIC PLAN WORKSHOP ON THURSDAY, APRIL 23, 2009 AT 7:00 P.M. THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- GALAXY 2009 ART RECEPTION FRIDAY, MAY 1, 2009 AT 5:30 P.M. AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, MAY 5, 2009, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Submitted:

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Cathy M. David, Deputy City Clerk  
Approved: May 5, 2009