



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES

**Tuesday, October 6, 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, Ed Steinbeck, Fred Strong, and Mayor Duane Picanco,

### **PUBLIC COMMENTS**

- Library and Recreation Director introduced Youth Commissioner in attendance Kyle Elliott.
- Paso Robles Chamber of Commerce President/CEO Mike Gibson gave an update on Chamber activities.
- Carolyn Novak of the SLO Red Cross spoke on emergency preparedness.
- Library and Recreation Teen/Youth Coordinator Vicky Jeffcoach invited the public to participate in the Barney Schwartz Park clean up on October 17, 2009.
- Greg Haas invited the public to the dedication of the new barbeque at Barney Schwartz Park on October 17, 2009, the same day as park clean up. The Reek Foundation will be hosting a free hotdog and hamburger barbeque to the volunteers.
- Kathy Barnett encouraged the City Council to consider marketing the Carnegie Library.
- Rod Smiley of the Masons announced that the Masons will be laying a cornerstone at Flamson Middle School on January 8, 2010.

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

## PRESENTATIONS

### 1. Paso Robles High School 2009-2010 International Exchange Students

D. Picanco, Mayor

The City Council recognized the 2009-2010 International Exchange Students and their host families.

Sarah Bois – France	Ata Bulgurlu – Turkey
Alvaro Cano – Spain	Temulen Ganbat – Mongolia
Chris Ghanem – Italy	Chelly Graefe – Germany
Pierre Halloy – Belgium	Kien Tri Nguyen – Vietnam
David M'Voutoukoolou – Switzerland	

### 2. Water Conservation Update

D. Monn, Public Works Director

Water Conservation Manager Keith Larson presented the month water conservation update to City Council.

## PUBLIC HEARINGS

### 3. Annexation of Tract 3016 into the Landscape and Lighting Maintenance District (Regency Centers)

R. Whisenand, Community Development Director

Consider annexing commercial Tract 3016 (Regency Center at Highway 46 East and Golden Hill Road) into the Landscape and Lighting District.

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 Steinbeck, moved to Adopt the following the (3) resolutions:

- (1) Adopt Resolution No. 09-124 declaring the results of the property owner protest ballot proceedings conducted for the proposed levy of assessments related to the annexation of Tract 3016, as Sub-Area 188 of the Paso Robles Landscaping and Lighting Maintenance District No. 1, commencing in fiscal year 2010/2011; and
- (2) Adopt Resolution No. 09-125 approving and adopting the Engineer's Report regarding the annexation of Tract 3016, as Sub-Area 188 of the Paso Robles Landscape and Lighting Maintenance District; and the levy and collection of annual assessments related thereto commencing in fiscal year 2010/2011; and
- (3) Adopt Resolution No. 09-126 confirming the annexation of Tract 3016 as Sub-Area 118 of the Paso Robles Landscaping and Lighting Maintenance District No. 1 and the assessment diagram connect therewith; and ordering the levy and collection of assessments for fiscal year 2010/2011.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

**4. Ordinance Establishing the Rules and Regulations for Sewer System Operations and Discharge of Industrial (Non-Domestic) Waste**

D. Monn, Public Works Director

For the City Council to consider adoption of a revised ordinance addressing sewer system operation and discharge of industrial (non-domestic) waste.

Wastewater Manager Matt Thompson, Water Manager Christopher Alakel and Industrial Waste Discharge Manager Patty Gwathmey presented the City Staff Report.

Mayor Picanco opened the public hearing. Speaking from the public was Rod Smiley of NuWay Cleaners, Adrian Taylor, Tom Well of Water Unlimited, Allen Howard of Good Times Café, Kathy Barnett, David Hicks, Matt Masia of Adelaide Inn, Bruce White, and Keith Belmont. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Gilman, seconded by Councilmember Strong, moved to Adopt Resolution No. 09-127 to establish local discharge limits and introduce for first reading Ordinance No. 09-961 N.S. which:

- 1) Repeals Ordinance No. 88-563 and 97-722 14.08 in entirety; and
- 2) Adopts Ordinance No. 09-961 N.S. after second reading scheduled for October 20, 2009 with the understanding that further study of a residential component to come back separately.

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.

**5. Approve City Council minutes of September 15, 2009**

D. Fansler, City Clerk

**6. Approve Warrant Register: Nos. 86451—86555 (09/11/09), 86556—86639 (09/18/09) and 86640-86787 (09/25/09)**

J. Throop, Administrative Services Director

7. Receive and file Advisory Body Committee minutes as follows:  
 Promotions Coordinating Committee meeting of August 11, 2009  
 Parks and Recreation Advisory Committee meeting of August 11, 2009  
 Library Board of Trustees meeting of August 13, 2009  
 Senior Citizen Advisory Committee meeting of July 13, 2009  
 Parks and Recreation and REC Foundation Uptown/Town Centre Specific Plan Special Workshop meeting of August 26, 2009
8. Receive and file the 2008-2009 Annual Pioneer Museum Report
9. Adopt Resolution 09-128 to continue KPRL Radio transit services for the year 2009/2010 in the amount of \$9,996.  
 J. Throop, Administrative Services Director
10. Adopt Resolution 09-129 authorizing the City Manager to execute on the City's behalf "Addition of Municipal User to Agreement," approving and accepting the San Miguel Community Services District as a Municipal User Under the Paso Robles Ground Water Basin Agreement.  
 D. Monn, Public Works Director
11. Adopt Resolution 09-130 accepting SEIU and Unrepresented employee groups' offers to suspend their scheduled April 1, 2009 wage increases and merit increases through June 2011, in addition to authorizing the City Manager to execute a Supplemental Memorandum of Understanding with the S.E.I.U., and Administrative side letter(s) with Unrepresented Staff.  
 M. Williamson, Assistant City Manager
12. Read, by title only, and adopt Ordinance No. 09-960 N.S., an Ordinance of the City Council of the City of El Paso de Robles Adding Chapter 5.50 to Title 5 of the El Paso de Robles Municipal Code, Relating to Regulations for the Provision of Video Service by State Franchise Holders. (First Reading September 15, 2009.)  
 J. Throop, Administrative Services Director

Consent Calendar Items Nos. 5 - 12 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:

## DISCUSSION

### **13. Development Impact Fees Facility Needs List Update**

R. Whisenand, Director

For the City Council to consider modifications to the development impact facility Needs List.

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

Councilmember Gilman, seconded by Councilmember Steinbeck, moved to Adopt Resolution No. 09-131 to amend the Public Facilities Needs List by removing the performing arts center from the government facilities list and revising the estimate of cost for aquatics facility on the parks and recreation facilities list; and to amend the summary of development impact fees accordingly

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

### **14. Water Conservation & Water Shortage Contingency Plan Amendment**

D. Monn, Public Works Director

For the City Council to consider revisions to the Water Conservation & Water Shortage Contingency Plan (Ordinance No. 956 N.S.) to allow for certain exceptions during a Level 1 or Level 2 Water Supply shortage.

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 Steinbeck, moved to introduce the first reading of Ordinance 09-962 N.S. amending Water Conservation & Water Shortage Contingency Plan Ordinance No. 956 N.S., and set October 20, 2009 as the adoption date of the said ordinance.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

### **15. Community Demonstration Garden**

A. Robb, Library and Recreation Services Director

For the City Council to consider approving a License Agreement between the City and Transitions Paso Robles Food Group (TPRFG) for a community demonstration garden.

Mayor Picanco opened the public hearing. Speaking from the public was members from Rosalie Wolffe and Anna Rampell Transitions Paso Robles Food Group, Greg Haas with REC Foundation and Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Gilman, seconded by Councilmember Strong, moved to Adopt Resolution 09-132 authorizing the City Manager to enter into a License Agreement with TPRFG for a community demonstration garden

Motion passed by the following unanimous roll call vote:

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

**16. Award of Barney Schwartz Park (BSP) Sidewalk Construction Contracts**

A. Robb, Library and Recreation Services Director

For the City Council to consider rewarding a contract for sidewalk construction at Barney Schwartz Park (BSP).

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 authorize the City Manager to enter into a contract with Brinar construction for construction of sidewalk between softball fields #2 and #3 at Barney Schwartz Park

Motion passed by the following unanimous roll call vote:

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

**17. Approval of Grant Applications under Proposition 1B**

J. Throop, Administrative Services Director

For the City Council to consider a resolution approving the application for funds under the State's Proposition 1B Grant System for Transit Capital projects for reallocation.

Mayor Picanco opened the public hearing. Speaking from the public was Sheila Baker. 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. 09-133 approving the reallocation of Prop 1B Grant Funding for a purchase of a low-floor transit vehicle and construction of new restrooms at the transit center

Motion passed by the following unanimous roll call vote:

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

## ADVISORY BODY COMMUNICATION

### **18. Schedule Interviews for Airport Advisory Applicants**

M. Williamson, Assistant City Manager

Schedule interviews to fill two regular terms and one alternate on the Airport Advisory Committee.

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 Steinbeck, moved to consider Thursday, November 12, 2009 at 7:00 p.m. as the date to interview applicants.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

### **COUNCIL COMMENTS - None**

### **PUBLIC COMMENT ON CLOSED SESSION**

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

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

The City Council returned to Regular Session at 10:33 PM.

## **RETURN TO OPEN SESSION**

### **CLOSED SESSION REPORT**

City Attorney Seitz announced that there were no reportable items.

By unanimous voice vote, Council moved to adjourn from regular session at **10:33 PM.**

**ADJOURNMENT:**

- GOVERNMENT DAY WITH THE PASO ROBLES CHAMBER OF COMMERCE AT 8:00 A.M., OCTOBER 7, 2009 AT VARIOUS LOCATIONS
- THE PIONEER DAY PARADE AND ACTIVITIES BEGINNING AT 10:00 AM, OCTOBER 10, 2009 IN THE DOWNTOWN AND DOWNTOWN PARK
- THE JOINT PLANNING COMMISSION/CITY COUNCIL BREAKFAST AT 7:00 AM, FRIDAY, OCTOBER 16, 2009 AT THE TOUCH OF PASO RESTRUANT, PASO ROBLES
- HOME ENERGY AUDIT WORKSHOP 9:00 AM TO 12:00 P.M. NOON, SATURDAY, OCTOBER 17, 2009 AT 1840 LOCUST STREET
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, OCTOBER 20, 2009, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Submitted:

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Cathy M. David, Deputy City Clerk  
Approved: October 20, 2009