



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES

Tuesday, October 20, 2015

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**Location: Paso Robles Library/City Hall Conference Center  
1000 Spring Street, Paso Robles**

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

PLEASE REFRAIN FROM CELL PHONE USE DURING THE MEETING - PLEASE TURN RINGER OFF

### 6:30 PM – CONVENE REGULAR MEETING

#### CALL TO ORDER

#### PLEDGE OF ALLEGIANCE

**INVOCATION** – Kim McGrew, Atheist United

**ROLL CALL** Councilmembers Steve Gregory, John Hamon, Fred Strong, Jim Reed, and Mayor Steven Martin

#### STAFF INTRODUCTIONS

#### PRESENTATIONS

1. [Drought Conservation Progress Report](#)

D. McKinley, Director of Public Works

Director McKinley gave a summary of the current conservation efforts and encouraged the public to conserve as much as possible.

#### PUBLIC COMMENT

- Donna Przybyla spoke on this issue.

#### PUBLIC COMMENTS

This is the time the public may address the Council on items other than those scheduled on the agenda.

- No Public Comment

#### AGENDA ITEMS TO BE DEFERRED – None

- Addendum 6A was added to the consent calendar.

#### PUBLIC HEARINGS – NONE

#### CONSENT CALENDAR

ITEMS ON THE CONSENT CALENDAR ARE CONSIDERED ROUTINE, NOT REQUIRING SEPARATE DISCUSSION.

2. [Approve City Council Minutes from 10/06/2015](#)

D. Fansler, City Clerk

3. [Approve Warrant Registers](#)

J. Throop, Director of Administrative Services

4. [Advisory Body Minutes](#)

Youth Commission (9/2/15)

Library Board of Trustees (9/10/15)

5. This item was pulled for discussion

6. [Adopt Resolution 15-128 Declaring certain City Property as Surplus and Authorizing their Sale to Recyclers, Wholesalers or by Public Auction, Bid or Sale](#)

J. Throop, Director of Administrative Services

## **ADDENDUM TO CONSENT CALENDAR**

6-a. [SCA 5 - Support Letter for Proposition 13](#)

For the City Council to approve a letter to Senator Loni Hancock and Senator Holly Mitchell recommending no Amendment to Proposition 13.

**\*\*End of Addendum\*\***

## **PUBLIC COMMENT - None ROLL CALL VOTE**

Consent Calendar items 2, 3, 4, 6 and 6A were approved on a single motion by Councilman Gregory and seconded by Councilman Hamon.

Motion passed by the following roll call vote:

AYES: Gregory, Hamon, Reed, Strong, Martin  
NOES:  
ABSTAIN:  
ABSENT:

## **PULLED FOR DISCUSSION**

5. [Proclamation – Domestic Violence Awareness Month](#)

For the Mayor to present a Proclamation for Domestic Violence Awareness Month.

Mayor Martin opened the public discussion. Speaking from the public were representatives Amy Gilman and Anthony Dominguez from RISE who spoke about domestic violence issues. There were no other comments either written or oral, and the public discussion was closed.

A motion was made by Councilman Strong and seconded by Councilman Gregory to present a Proclamation for Domestic Violence Awareness Month.

Motion passed by the following voice vote:

AYES: Strong, Gregory, Hamon, Reed, Martin  
NOES:  
ABSTAIN:  
ABSENT:

## **DISCUSSION**

7. [Public Works Department Overview](#)

D. McKinley, Director of Public Works

To update the City Council on the current status of the Paso Robles Public Works Department.

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

## **ROLL CALL VOTE #1**

A motion was made by Councilman Strong, seconded by Councilman Gregory to receive and file this report from the Public Works Department.

Motion passed by the following roll call vote:

AYES: Strong, Gregory, Hamon, Reed, Martin  
NOES:  
ABSTAIN:  
ABSENT:

## **ROLL CALL VOTE #2**

A motion was made by Councilman Gregory and seconded by Councilman Strong directing staff to bring back an agenda item with a detailed description of the proposed upgrade of the vacant Administrative Assistant II position to Engineer in Training position and a recommendation to fill that position.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin  
NOES:  
ABSTAIN:  
ABSENT:

### **8. Wastewater Rate Study – Receive and File**

D. McKinley, Director of Public Works

For City Council to receive and file the “Wastewater Rate and Revenue Analysis,” leaving adopted wastewater rates and facility charges unchanged.

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

A motion was made by Councilman Strong and seconded by Councilman Gregory to receive and file the “Wastewater Rate and Revenue Analysis,” following the wastewater rates and facility charges adopted in 2011.

Motion passed by the following roll call vote:

AYES: Strong, Gregory, Hamon, Reed, Martin  
NOES:  
ABSTAIN:  
ABSENT:

### **9. Wastewater SRF & Prop 1 Grant/Loans – Tertiary Treatment**

D. McKinley, Director of Public Works

For City Council to consider resolutions needed to apply for a low interest loan and grant for Tertiary Treatment Facilities.

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

A motion was made by Councilman Hamon and seconded by Councilman Gregory to:

- (1) Adopt Resolution 15-129 authorizing the Public Works Director to apply for a low-interest SRF loan and possible Proposition 1 grant for the Tertiary Treatment Facilities Project and administer the financing.
- (2) Adopt Resolution 15-130 enabling the City to be reimbursed by SRF for costs already incurred on the project.
- (3) Adopt Resolution 15-131 pledging revenues of the Sewer Operations Fund to repayment of the SRF loan.

Motion passed by the following roll call vote:

AYES: Hamon, Gregory, Reed, Strong, Martin  
NOES:  
ABSTAIN:  
ABSENT:

**10. Shannon Hill Sewer Reimbursement**

D. McKinley, Director of Public Works

For the City Council to consider establishing a Reimbursement Agreement for the sewer line constructed on Shannon Hill Drive from 350 feet west of Walnut Avenue to 500 feet west of Walnut Avenue.

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

A motion was made by Councilman Gregory and seconded by Councilman Hamon to:

- (1) Adopt Resolution No. 15-132 establishing the Shannon Hill Drive Sewer Reimbursement and authorizing the Mayor to enter into an Agreement with Dino Turano for the City to collect the reimbursable amount on behalf of the developer.
- (2) Adopt Resolution No. 15-133 establishing reimbursement to the Sewer Enterprise Fund for construction of a sewer lateral at 627 Shannon Hill Drive upon connection.

Motion passed by the following roll call vote:

AYES: Gregory, Hamon, Reed, Strong, Martin  
 NOES:  
 ABSTAIN:  
 ABSENT:

**11. Slurry and Hotspots**

D. McKinley, Director of Public Works

For City Council to consider awarding contracts for hotspot street repairs and slurry seal repairs.

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

A motion was made by Councilman Gregory and seconded by Councilman Strong to:

Adopt Resolution No. 15-134:

- (1) Appropriating an additional \$335,013 from Gas Tax and Transit Fund revenue to Budget No. 1009101-54520-C0074;
- (2) Awarding a contract for slurry seal to Souza Construction in the amount of \$728,212.80;
- (3) Awarding a contract for hotspot street repairs to Souza Construction in the amount of \$235,000;
- (4) Authorizing the City Manager to engage the services of Pavement Engineering, Inc. in the amount of \$95,000 to assist staff in administering the two construction contracts.

**ROLL CALL VOTE #1**

A motion was made by Councilman Gregory and seconded by Councilman Strong to adopt Option (1) appropriating an additional \$335,013 from Gas Tax and Transit Fund revenue to budget number: 1009101-54520-C0074.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin  
 NOES:  
 ABSTAIN:  
 ABSENT:

**ROLL CALL VOTE #2**

A motion was made by Councilman Gregory and seconded by Councilman Strong to adopt Option (2) awarding a contract for slurry seal to Souza Construction in the amount of \$728,212.80.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin  
 NOES:  
 ABSTAIN:  
 ABSENT:

### ROLL CALL VOTE #3

A motion was made by Councilman Gregory and seconded by Councilman Strong to adopt Option (3) awarding a contract for hotspot street repairs to Souza Construction in the amount of \$235,000

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin  
NOES:  
ABSTAIN:  
ABSENT:

### ROLL CALL VOTE #4

A motion was made by Councilman Gregory and seconded by Councilman Strong to adopt Option (4) authorizing the City Manager to engage the services of Pavement Engineering, Inc. in the amount of \$95,000 to assist staff in administering the two construction contracts.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin  
NOES:  
ABSTAIN:  
ABSENT:

### 12. [GPA – Alder Creek Apartments](#)

W. Frace, Director of Community Development

For the City Council to consider options regarding a request to relinquish a public open space easement on privately owned property to facilitate the private development of 16 apartment units, located on Niblick Road.

Mayor Martin opened the public discussion. Speaking from the public was Larry Werner, Joe Collins, and Dale Gustin. There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Gregory and seconded by Councilman Strong to adopt Option A, amended to read:

- Direct staff to include the request to abandon 1/3 acre (13,939 square feet) of open space easement land as part of the GPA application process, subject to funding construction of a portion of the existing incomplete bike/pedestrian path on the Creekside Gardens project, based on the appraised value of the open space easement.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin  
NOES:  
ABSTAIN:  
ABSENT:

### 13. [E-Verify](#)

I. Yang, City Attorney

For the City Council to consider whether it should verify City employment eligibility through the optional E-Verify program in addition to the required Form I-9 process.

Mayor Martin opened the public discussion. Speaking from the public was Michael Rivera. There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Hamon and seconded by Councilman Reed to receive and file this report; directing Staff to bring the issue back for consideration with options regarding the requirement that City contractors/subcontractors be required to utilize the E-Verify system as well.

Motion passed by the following roll call vote:

AYES: Hamon, Reed, Gregory, Strong, Martin  
NOES:  
ABSTAIN:  
ABSENT:

## COUNCIL BUSINESS & COMMITTEE REPORTS

### 14. Current Council Committee Activities Reports (if any).

Council members commented on their committee and other activities.

#### ADJOURNMENT OF REGULAR MEETING

A motion was made by Councilman Hamon and seconded by Councilman Reed to adjourn the Regular Meeting

Motion passed by the following voice vote:

AYES: Hamon, Reed, Gregory, Strong, Martin

#### **ADJOURNMENT OF REGULAR MEETING AT 8:53PM TO:**

- KNIGHT'S CARPET RIBBON CUTTING CEREMONY – 10:00 AM ON THURSDAY, OCTOBER 22, 2015 AT KNIGHT'S CARPET, 3320 RAMADA DRIVE, PASO ROBLES.
- REGULAR PLANNING COMMISSION MEETING - 6:30PM ON TUESDAY, OCTOBER 27, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- PACIFIC COAST CUTTING HORSE ASSOCIATION "BRIDLELESS CHARITY CHALLENGE – 6:00 PM ON FRIDAY, OCTOBER 30<sup>TH</sup>, 2015 AT THE PASO ROBLES EVENT CENTER, 2198 RIVERSIDE AVENUE, PASO ROBLES.
- REGULAR CITY COUNCIL MEETING - 6:30PM ON TUESDAY, NOVEMBER 3, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.

Submitted by:



Kristin Buxkemper, Deputy City Clerk

Approved: November 3, 2015

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All persons desiring to speak on an agenda item are asked to fill out Speaker Information Cards and place them at the Staff Table prior to public discussion of that item. Each individual speaker will be limited to a presentation total of three (3) minutes per item.

**AMERICANS WITH DISABILITIES ACT** Any individual, who because of a disability needs special assistance to attend or participate in this meeting, may request assistance by contacting the City Clerk's Office (805) 237-3960. Whenever possible, requests should be made four (4) working days in advance of the meeting.

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