



# **CITY OF EL PASO DE ROBLES**

*"The Pass of the Oaks"*

## **CITY COUNCIL MINUTES**

**Tuesday, January 19, 2010 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**

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### **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**

- **Carolyn Fergoda** – invited everyone to attend the bare root planting at the Centennial Park garden site this Saturday, January 23, 2010 at 12:00 noon.

### **AGENDA ITEMS TO BE DEFERRED (IF ANY)**

**PRESENTATIONS** - None

### **PUBLIC HEARINGS**

### **ADJOURN TO REDEVELOPMENT AGENCY**

**ROLL CALL** Agency Members Nick Gilman, Duane Picanco, Ed Steinbeck, Fred Strong and Chairman John Hamon

**1. Redevelopment Implementation Plan**

R. Whisenand, Community Development Director

That the Redevelopment Agency considers a five-year Redevelopment Implementation Plan for the Period 2010-2014.

Chairman Hamon opened the public hearing. There being no comments from the public, either written or oral, the public discussion was closed.

Agency member Strong, seconded by Agency member Gilman, moved that the Redevelopment Agency continue the Open Public Hearing to the Council meeting of February 16, 2010

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

**ADJOURN TO CITY COUNCIL MEETING**

**CONSENT CALENDAR**

ITEMS ON THE CONSENT CALENDAR ARE CONSIDERED ROUTINE, NOT REQUIRING SEPARATE DISCUSSION. However, if discussion is wanted or if a member of the public wishes to comment on an item, the item may be removed from the Consent Calendar and considered separately. Councilmembers may ask questions of clarification without removing an item from the Calendar. INDIVIDUAL ITEMS ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

**2. Approve City Council minutes of January 5, 2010 and January 6, 2010**

D. Fansler, City Clerk

**3. Approve Warrant Register: Nos. 88375-88491 (12/24/09) and 88492-88585 (01/08/10)**

J. Throop, Administrative Services Director

**4. Adopt Resolution No. 10-007 approving a sublease agreement form for private aircraft storage hangars under a master lease with B. Kim Lilly, dba Airport Rental & Leasing, at the Municipal Airport.**

M. Williamson, Assistant City Manager

**5. Adopt Resolution No. 10-008 awarding the contract to Dechance Construction in the amount of \$147,003.50 to upgrade forced mains at Lift Stations No. 3 and 11.**

D. Monn, Public Works Director

**6. Adopt Resolution No. 10-009 authorizing the County of Sacramento to apply for funds on our behalf and authorize Statewide Communities Development Authority to accept applications from property owners.**

D. Monn, Public Works Director

**7. To receive and file the annual development impact fee report to the City Council for the fiscal year ended June 30, 2008.**

J. Throop, Administrative Services Director

**8. To receive and file the annual development impact fee report to the City Council for the fiscal year ended June 30, 2009.**

J. Throop, Administrative Services Director

Consent Calendar Items No's. 2-8 were approved on a single motion by Councilmember Strong, seconded by Councilmember Steinbeck.

Motion passed by the following unanimous roll call vote:

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

## **DISCUSSION**

### **9. Proposed Water Rates**

D. Monn, Public Works Director

For the City Council to select a water rate methodology and authorize customer notification and protest ballot process.

Mayor Picanco opened the public discussion. Speaking from the public was Mike Gibson from the Chamber of Commerce, Kathy Barnett, Karen Reed, John Borst, Tom Flynn, Angela Hollander, Tom Hardwick, and Larry Werner. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Steinbeck, seconded by Councilmember Gilman, moved to direct staff to prepare a Uniform Commodity Pricing option for consideration at the February 2, 2010 City Council Meeting.

Motion passed by the following unanimous roll call vote:

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

### **10. Request to Remove One Oak Tree at 524 – 3<sup>rd</sup> Street**

R. Whisenand, Community Development Director

Consider a request by Brian Lindner, to remove one Oak tree on the property located at 524 3<sup>rd</sup> Street.

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

Councilmember Hamon, seconded by Councilmember Steinbeck, moved to allow the removal of the 24-inch Coast Live Oak tree and require either a) deposit of \$200 to the Oak Tree Replacement Fund; or b) planting one (1) 1.5-inch diameter Coast Live Oak replacement tree at 524-3<sup>rd</sup> Street or 226 Vine Street and require the applicant to pay the \$600 application deposit prior to the issuance of the Oak Tree Removal Permit.

Motion passed by the following roll call vote:

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

**11. Request to Remove One Oak Tree at 803 Hogan Place**

R. Whisenand, Community Development Director

Consider a request by Grant Nielson and Richard Gracie to remove one Oak tree on the property located at 803 Hogan Place.

Mayor Picanco opened the public discussion. Speaking from the public was Richard Gracie and Kathy Barnett. 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 allow the removal of the 18-inch Valley oak tree, based on the tree causing damage to private property, and require the standard \$600 application deposit to process the removal request and plant one (1) replacement tree at the direction of the Arborist.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

**COUNCIL COMMENTS (Including oral reports on conferences attended)**

**ADJOURNMENT:**

- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, FEBRUARY 2, 2010 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the City Council after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the City Clerk's Office, 1000 Spring Street, Paso Robles, CA, during normal business hours, and may be posted on the City's web site at <http://www.prcity.com/government/citycouncil/agendas.asp>.

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.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT  
REGULAR COUNCIL MEETING IS JANUARY 22, 2010***

Submitted:

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Lonnie Dolan, Deputy City Clerk

Approved:

To: Paso Robles City Council  
From: John Borst  
Jan. 19, 2010

The membership of CCPR has had the opportunity to review the City's newest water rate proposal. Though appearing well intended in its attempt to incorporate many of the ideas presented at the Paso Robles water rate workshop, each of the three alternative plans presented in varying degrees by Ms. Halley in Mr. Monn's Jan. 19 City staff memo still appear to fall short of being lawful and equitable, and even affordable for many people living in our community. In short, each plan is in need of further work and revision to reflect the substantive changes called for by voters in our City's past Nov. 2009 election.

In fairness and respect to taxpayers in our community, any plan chosen by City council for voter approval must reflect an actual substantive change from the previous. We envision a rate plan that at long last turns aside from merely making cosmetic changes to one that is actually lawful and more forthright with ratepayers. To cite but one simple example, whatever happened to the County Grand Jury's directive that the Nacimiento charge be separately identified on any water rate proposed by the City? The January 2010 water rate proposal(s) still gives no indication to water customers of how their Nacimiento charge is actually being collected and obligated.

As we have done in the past, we will be happy to work with city staff and other members in our community to help arrive at a solution that is lawful, equitable and more affordable. CCPR members will continue to use all legal resources at hand to help assure the citizens in our community that their wishes, pocketbook, and voting rights are protected and held sacred. Most immediately, we are looking into the legality of City's staffs' apparent desire to circumvent issues of election law now posed by the anticipated, unnecessary, and costly initiation of yet another citywide Proposition 218 process. And finally, while lowering water charges on any rate proposal are welcome, they are only acceptable if they meet the legal tests under 218.