



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, February 16, 2010 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 Pat Shehan

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

PUBLIC COMMENTS

- Annie Robb introduced Youth Commissioner Vicki Fabian
- John Borst commented on water rate increases. Offered protest form on his website.
- Kathy Barnett commented on water rate increases and suggested to switch items 13 and 14.

AGENDA ITEMS TO BE DEFERRED

- Reversed items 13 and 14.
- Reversed items 17 and 18.

Motion passed by Councilmember Strong, seconded by Councilmember Hamon, the following unanimous roll call vote:

AYES: Steinbeck, Hamon, Gilman, Strong and Picanco

NOES:

ABSTAIN:

ABSENT:

PRESENTATIONS

1. **Spay Day USA**
D. Picanco, Mayor
Cheri Lucas accepted the proclamation from the mayor.
2. **Friends of the Paso Robles City Library**
D. Picanco, Mayor
Julie Dahlen and Denise Serber presented proclamation.
3. **Paso Robles Library Foundation**
D. Picanco, Mayor
Kate Morgan, President of the foundation accepted the proclamation.

Addendum to Regular Meeting: Presentation by Paul Patti and Charles Brown regarding their work and experiences in Haiti.

PUBLIC HEARINGS

4. **Code Amendment 09-004**
R. Whisenand, Community Development Director

For the City Council to consider an application filed by Tom Taylor on behalf of David Stearns and Central Coast Casino to consider an amendment to Chapter 5.08 of the Municipal Code related to the City's regulations of Card and Billiard Rooms.

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

Councilmember Steinbeck, seconded by Councilmember Strong, moved for City Council to introduce Ordinance No. 965 amending Chapter 5.08 of the Municipal Code.

Motion passed by the following roll call vote:

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

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 February 2, 2010
D. Fansler, City Clerk
6. Receive and file Advisory Body Committee minutes as follows:
Youth Commission Minutes of January 6, 2010
7. Adopt Resolution No. 10-016 as amended accepting easements for public road purposes at 17th Street, West of Riverside
D. Monn, Public Works Director

Consent Calendar items 5-7 were approved on a single motion by Councilmember Strong, seconded by Councilmember Hamon and passed by the following unanimous roll call vote:

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

DISCUSSION

ADJOURN TO REDEVELOPMENT AGENCY

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

Chairman John Hamon asked Ron Whisenand to explain the role of the RDA.

8. 2010 – 2014 Redevelopment Implementation Plan

R. Whisenand, Community Development Director

For the Redevelopment Agency to consider a Redevelopment Implementation Plan for the period 2010 – 2014.

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

Redevelopment Agency Member Strong, seconded by Redevelopment Agency Member Gilman, moved to Adopt Redevelopment Agency Resolution RDA 10-001 approving the 2010-2014 Implementation plan.

Motion passed by the following roll call vote:

AYES: Picanco, Gilman, Steinbeck, Strong, Hamon

NOES:

ABSTAIN:

9. Redevelopment Agency Project List

J. Throop, Administrative Services Director

For the Redevelopment Agency to consider bond funding for projects of benefit to the Redevelopment Agency Project Area.

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

Redevelopment Agency Member Steinbeck, seconded by Redevelopment Agency Member Strong, moved to approve the Flamson Frontage project, the Parking Lot remediation project and request additional information on the PREC sidewalk project and City Park Restrooms, as well as signify that parking is a priority in the downtown property acquisition project. Additional information to be brought back to Council at a date uncertain.

Motion passed by the following roll call vote:

AYES: Picanco, Gilman, Steinbeck, Strong, Hamon

NOES:

ABSTAIN:

10. Use of Low and Moderate Income Housing Funds for Preparation of Plans for Redevelopment of Oak Park Public Housing

R. Whisenand, Community Development Director

For the City Council and Redevelopment Agency to consider allocating \$230,000 in Redevelopment Low and Moderate Income Housing (LMIH) funds to pay fees for preparation of plans for the redevelopment of Oak Park Public Housing

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

10. Continued

Redevelopment Agency Member Gilman, seconded by Redevelopment Agency Member Strong, moved to adopt Resolution No. RA 10-002 approving an allocation of \$230,000 in Redevelopment Low and Moderate Income Housing funds to the Redevelopment Fund.

Motion passed by the following call vote:

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

City Council

Councilmember Gilman, seconded by Councilmember Strong, moved to introduce for first reading Ordinance No. 966 N.S. amending Chapter 3.40 Revenue and Finance of the Municipal Code to modify the Fiscal Year 2009/10 Budget for the Redevelopment Agency of the City of El Paso de Robles and set March 2, 2010, as the date for adoption of said Ordinance.

Motion passed by the following roll call vote:

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

ADJOURNED TO CITY COUNCIL MEETING

DISCUSSION

11. Uptown Specific Plan: Request to Proceed with Processing a Discretionary Development Plan Application in Advance of Completion of the Specific Plan (Housing Authority – Oak Park)

R. Whisenand, Community Development Director

For the City Council to consider a Housing Authority request to process a development plan (“PD”) and environmental review for the redevelopment of Oak Park prior to completion of the Uptown Specific Plan.

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 Gilman, moved via minute action (voice vote) to approve the Housing Authority’s request for authorization to proceed with development of the subject property in advance of completion of the Uptown Specific Plan.

Motion passed by the following roll call vote:

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

12. City Hall Parking Lot Remediation and Repair

D. Monn, Public Works Director

For the City Council to consider award of a construction contract to repair the parking lot at City Hall.

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. 10-017 to authorize the City Manager to enter into a contract with MGE Underground for remediation and repair of the City Hall parking lot

Motion passed by the following roll call vote:

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

**13. Water Conservation: California Urban Water Conservation Council
(HEARD AFTER ITEM 14)**

D. Monn, Public Works Director / Keith Larson, Water Conservation Manager

For the City Council to authorize the City Manager to execute the California Urban Water Conservation Council (CUWCC) Memorandum of Understanding.

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

Councilmember Steinbeck, seconded by Councilmember Strong, moved to adopt Resolution No.10-018 authorizing the City Manager to sign the signature page for the California Urban Water Conservation Council Memorandum of Understanding.

Motion passed by the following roll call vote:

AYES: Steinbeck, Hamon, Gilman, Strong and Picanco

NOES:

ABSTAIN:

**14. Water Conservation: 2010 Programs
(HEARD BEFORE ITEM 13)**

D. Monn, Public Works Director / Christopher Alakel, Water Manager

For the City Council to adopt a comprehensive water conservation program for calendar year 2010 and beyond.

Mayor Picanco opened the public hearing. Speaking from the public was 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 Hamon, moved to adopt Resolution No.10-019 authorizing expenditures for the 2010 Water Conservation Program.

Motion passed by the following call vote:

AYES: Steinbeck, Hamon, Strong

NOES: Gilman, Picanco

ABSTAIN:

15. Water Conservation: Landscape Irrigation Watering Restriction Exceptions

D. Monn, Public Works Director / Keith Larson, Water Conservation Manager

For the City Council to consider exceptions to Level 2 mandatory irrigation watering schedule restrictions.

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 adopt Resolution No.10-020 as amended adopting exemptions to irrigating and water restrictions pursuant to a level 2 water shortage.

Motion passed by the following call vote:

AYES: Steinbeck, Hamon, Gilman, Strong, Picanco

NOES:

ABSTAIN:

16. Angle Parking on Oak Street, North of 36th Street

R. Whisenand, Community Development Director

For the City Council to consider a request by the County Office of Education for angle parking adjacent to the First Five Pre-School on Oak Street, north of 36th Street.

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

16. Continued

Councilmember Strong, seconded by Councilmember Steinbeck, moved to approve the request of the County Office of Education for angle parking on Oak Street, north of 36th Street.

Motion passed by the following roll call vote:

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

**17. Park Grant – County Office of Education
(HEARD AFTER ITEM 18)**

A. Robb, Library and Recreation Services Director

For the City Council to consider approving an application for statewide park program grant funds.

Mayor Picanco opened the public hearing. Speaking from the public were Julian Crocker and Vince Vanderlip. 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:

1. Adopt Resolution 10-021 approving the application for Statewide Park Program Grant funds; and
2. Authorize the City Manager to develop and submit a Ground Lease and Operating Agreement with the County Office of Education identifying responsibilities for park administration; and
3. Authorize the Mayor to sign a Letter of Intent to enter into a ground lease and operating agreement upon the California Department of Parks and Recreation providing notice that it is irrevocably committed to providing City with grant funds, under its Statewide Park Development and Community Revitalization Program of 2008 in an amount sufficient to fully construct the "Park" (as defined in the Ground Lease)

Motion passed by the following roll call vote:

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

**18. Park Grant – Housing Authority
(HEARD BEFORE ITEM 17)**

A. Robb, Library and Recreation Services Director

For the City Council to consider approving an application for statewide park program grant funds.

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 Gilman, moved to:

1. Adopt Resolution 10-022 approving the Application for Statewide Park Program Grant Funds; and
2. Authorize the Mayor to sign a Letter of Intent to enter into a ground lease and sublease upon the California Department of Parks and Recreation providing notice that it is irrevocably committed to providing City with grant funds, under its Statewide Park Development and Community Revitalization Program of 2008, in an amount sufficient to fully construct the "Park" (as defined in the Ground Lease).

Motion passed by the following roll call vote:

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

COUNCIL COMMENTS (Including oral reports on conferences attended)

- Councilmember Fred Strong gave an overview of State updates and he announced he is going to Sacramento to lobby for additional capture of T.O.T.
- Councilmember Ed Steinbeck will be attending EVC Board meeting and U.S. Representative Kevin McCarthy will be there.

ADJOURNED TO CLOSED SESSION: 10:02 P.M.

CLOSED SESSION

Large Conference Room, 2nd Floor

Conference with Legal Counsel - existing litigation

Government Code section 94956.9(a)

City of Paso Robles v. North American Jet Charter -- San Luis Obispo County Superior Court
Case No. LC 108113 and

City of Paso Robles v. North American Jet Charter - San Luis Obispo County Superior Court
Case No. LC 108114

Conference with Labor Negotiator

Government Code Section 54957

City Negotiator: James App, City Manager

Employee Organization: Police Officers Association (P.O.A.), and Fire (I.A.F.F.)

CLOSED SESSION REPORT

City Attorney Yang announced that there was no reportable action.

By unanimous voice vote, Council moved to adjourn from regular session at 10:50 PM.

ADJOURNMENT: 10:50 P.M.

- JOINT PLANNING COMMISSION/ CITY COUNCIL BREAKFAST MEETING OF FRIDAY, FEBRUARY 19, 2010 AT 7:00 AM AT TOUCH OF PASO
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, MARCH 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>.

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 FEBRUARY 19, 2010***

Submitted:

Lonnie Dolan, Deputy City Clerk