



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, July 6, 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

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

STAFF INTRODUCTIONS

PUBLIC COMMENTS

NONE

AGENDA ITEMS TO BE DEFERRED (IF ANY)

NONE

PRESENTATIONS

NONE

PUBLIC HEARINGS

NONE

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.

1. Approve City Council minutes of June 15, 2010
D. Fansler, City Clerk
2. Approve Warrant Register: Nos. 91294-9441 (06/11/10); 91442-91562 (06/18/10); 91563-91705 (06/25/10); and other payroll services.
J. Throop, Administrative Services Director
3. Receive and file Advisory Body Committee minutes as follows:
Senior Citizen Advisory Committee Minutes of May 10, 2010
Library Board of Trustees Minutes of May 15, 2010
4. Adopt Resolution No. 10-086 accepting the award of a Federal Grant for fire hose, nozzles, and associated equipment, and making the corresponding budget appropriation.
Ken Johnson, ES Chief
5. Adopt Resolution No. 10-087 authorizing Emergency Services to purchase fire hose for \$76,794 from LN Curtis and Sons.
K. Johnson, ES Chief
6. Adopt Resolution No. 10-088 approving a request to establish a gated community for Tract 2529.
Ron Whisenand, Community Development Director
7. Adopt Resolution No. 10-089 approving documentation of budget appropriations for approved capital projects and emergency purchase of the Centennial Pool Heater.
J. Throop, Administrative Services Director
8. Adopt Resolution No. 10-090 approving and authorizing response to grand jury report on "Electing City Treasurers and Clerks".
J. App, City Manager
9. Adopt Resolution No. 10-091 approving and authorizing response to grand jury report on Leaf Blower Hazards in San Luis Obispo County.
J. App, City Manager
10. Adopt Resolution No. 10-092 accepting a Transit ARRA Grant and adopting a budget for associated transit projects.
D. Monn, Public Works Director
11. Adopt Resolution No. 10-093 to approve payment of \$42,000 to the Bay Foundation for conceptual design of 21st Street improvements and \$27,000 to the State's Cleanup and Abatement Account.
D. Monn, Public Works Director

Consent Calendar Items No. 1-11 (with an abstention on Item #2, Page 30, Warrant Register #091516 by Mayor Duane Picanco) and a no vote on Item #6 by Mayor Duane Picanco, were approved on a single motion by Councilmember Strong, seconded by Councilmember Steinbeck.

Motions passed by the following roll call votes:

AYES: Steinbeck, Strong, Gilman, Hamon,
NOES: Picanco (Item 6)
ABSENT:
ABSTAIN:

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DISCUSSION

ADJOURN TO REDEVELOPMENT AGENCY

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

12. Oak Park Redevelopment: Request for Low and Moderate Income Housing Funds

R. Whisenand, Community Development Director/ Ed Gallagher, City Planner

For the Redevelopment Agency to consider a request for a reservation of up to \$1.325 million in Low and Moderate Income Housing (LMIH) Funds to assist in the Development of Phase One of the Oak Park Redevelopment Project.

Chairman John Hamon opened the Public Hearing. Speaking from the public was Starla Warren. There were no other comments received from the public, either written or oral, and the public hearing was closed.

Redevelopment Agency Member Strong, seconded by Redevelopment Agency Member Gilman, moved to Adopt Redevelopment Agency Resolution RDA 10-005 reserving up to \$1.325 million in Low and Moderate Income Housing (LMIH) Funds for 6 months for the Oak Park Redevelopment Project.

Motion passed by unanimous roll call votes:

AYES: Strong, Gilman, Steinbeck, Hamon, Picanco

NOES:

ABSENT:

ABSTAIN:

ADJOURN TO CITY COUNCIL MEETING

13. Request to remove three oak trees at 187 Via Magnolia (Lot 3, Tract 2620 – Vanderlip)

R. Whisenand, Community Development Director

For the City Council to consider a request by Vince Vanderlip, to remove three oak trees in conjunction with the development of a vacant lot within Tract 2620 (187 Via Magnolia -Lot 3).

Mayor Picanco opened the Public Hearing. Speaking from the public was Vince Vanderlip. There were no other comments received from the public, either written or oral, and the public hearing was closed.

Councilmember Steinbeck, seconded by Councilmember Hamon, moved to adopt Resolution No. 10-094 approving OTR 10-005, allowing the removal of three 8-inch Blue oak trees based on the trees having poor growth patterns that impact the health of larger, healthier oak trees, and, require four (4) 1.5-inch diameter Blue Oak replacement trees to be planted at the direction of the Arborist, or payments made to the City's oak tree replacement fund.

Motion passed by unanimous roll call votes:

AYES: Steinbeck, Hamon, Strong, Gilman, Picanco

NOES:

ABSENT:

ABSTAIN:

14. Street Abandonment SA 10-001 (S. River Road Associates)

R. Whisenand, Community Development Director

For the City Council to consider adopting a resolution for a summary vacation of portions of Niblick Road and old South River Road public right-of-ways associated with the development of the Hidden Creek Apartments.

Mayor Picanco opened the Public Hearing. Speaking from the public John Borst. Staff responded to Mr. Borst's questions verbally. There were no other comments received from the public, either written or oral, and the public hearing was closed.

Councilmember Steinbeck, seconded by Councilmember Strong, moved to adopt Resolution No. 10-095 approving the request to abandon portions of historical Niblick and South River Road right-of-ways along the west and south boundaries of the site of the Hidden Creek Apartments subject to conditions to retain easements for certain public utilities.

Motion passed by unanimous roll call votes:

AYES: Steinbeck, Strong, Gilman, Hamon, Picanco

NOES:

ABSENT:

ABSTAIN:

15. Animal Control Contract

L. Solomon, Chief of Police

For the City Council to consider an agreement with the County of San Luis Obispo to continue Animal Control Services, July 1, 2010 - June 30, 2013 in the amount of \$260,500 per addendum.

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

Councilmember Steinbeck, seconded by Councilmember Hamon, moved to adopt Resolution No. 10-096 authorizing the Mayor to execute a "Contract for Animal Care and Control Services" with the County of San Luis Obispo Animal Services Division, representing a three (3) year contract at a cost of \$260,500 the first year, with CPI adjustments as indicated in each subsequent contract year.

Motion passed by unanimous roll call votes:

AYES: Steinbeck, Hamon, Gilman, Strong, Picanco

NOES:

ABSENT:

ABSTAIN:

16. Edward Byrne Memorial Justice Assistance Grant Program (Number 16.738)

L. Solomon, Chief of Police

For the City Council to consider accepting \$11,500 in FY 2011 from the Edward Byrne Memorial Justice Assistance Grant Program.

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

Councilmember Hamon, seconded by Councilmember Gilman, moved to adopt Resolution No. 10-097 accepting the Edward Byrne Memorial Justice Assistance Grant Program Funds (Number 16.738) and approving the outlined expenditure plan.

Motion passed by unanimous roll call votes:

AYES: Hamon, Gilman, Steinbeck, Strong, Picanco

NOES:

ABSTAIN:

17. Housing Authority Board Interviews

R. Whisenand, Community Development Director

For the City Council to consider a single application to fill an opening on the Housing Authority Board of Commissioners (the "Board") and set a date to interview the applicant.

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

Councilmember Steinbeck, seconded by Councilmember Strong, moved to defer item and refer back to the Housing Authority Board and CEO at a later date.

Motion passed by unanimous roll call votes:

AYES: Strong, Steinbeck, Gilman, Hamon, Picanco

NOES:

ABSENT:

ABSTAIN:

COUNCIL COMMENTS

18. Designation of Voting Delegates and Alternates for the League of California Cities

D. Picanco, Mayor

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

Councilmember Gilman, seconded by Councilmember Strong, moved to appoint Mayor Picanco as voting delegate and Councilmember Strong as alternate.

Motion passed by unanimous roll call votes:

AYES: Gilman, Strong, Steinbeck, Hamon, Picanco

NOES:

ABSENT:

ABSTAIN:

ADJOURNMENT at 8:34 p.m. to CLOSED SESSION:

a. Conference with Legal Counsel - existing litigation

Government Code Section 94956.9(a)

Russell Peterson & Suzanne Smiley v. City of Paso Robles -- United States District Court - Central District of California Court Case No. CV10- 1705 PA (MANx)

ADJOURNMENT at 9:35 p.m. to:

- JOINT PLANNING COMMISSION/CITY COUNCIL BREAKFAST OF FRIDAY, JULY 16, 2010 AT 7:00 AM AT TOUCH OF PASO RESTAURANT
- THE REGULAR MEETING AT 7:30 PM OF TUESDAY, JULY 20, 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.

Submitted:

Caryn Jackson, Deputy City Clerk

Approved:

**THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT
PART OF THE RECORDS UNTIL APPROVED BY THE CITY
COUNCIL/PLANNING COMMISSION AT A FUTURE
REGULAR MEETING.**