



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES

Tuesday, July 20, 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

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

- **Keith Larson** – Water Conservation update.
- **John Borst** – Questions regarding RDA funds and Hidden Creek Project.
- **Iris Yang** – Responded to Mr. Borst's questions.
- **Doug Bates** – Thanked the Council for their support of the Library.

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 July 6, 2010  
D. Fansler, City Clerk
2. Approve Warrant Register: No. 91706-91819 (07/02/10); 81820-91937 (07/09/10); and other payroll services.  
J. Throop, Administrative Services Director
3. Receive and file Advisory Body Committee minutes as follows:  
Library Board of Trustees Minutes of June 10, 2010  
Senior Advisory Committee Minutes of June 14, 2010
4. Adopt Resolution No. 10-098 approving and authorizing response to grand jury report on "Homelessness in San Luis Obispo County".  
J. App, City Manager
5. Adopt Resolution No. 10-099 declaring certain City property as surplus and authorize their sale to recyclers, wholesalers or by public auction, bid or sale.  
J. Throop, Administrative Services Director
6. Approve Resolution No. 10-100 awarding the purchase of 18,000 pounds of Pulsar Plus Briquettes to Knorr Systems Inc. in the amount of \$45,462.60.  
D. Monn, Public Works Director
7. Adopt Resolution No. 10-101 approving award and authorization to enter into a contract with C3 Construction & Development in the amount of \$276,900 to install sidewalks, ornamental light fixtures and other improvements along Riverside Avenue.  
D. Monn, Public Works Director

Consent Calendar Items No. 1-6 (with an abstention on Item #2, Warrant Register #091794 by Mayor Duane Picanco) were approved on a single motion by Councilmember Strong, seconded by Councilmember Gilman. Item #7 was pulled and discussed after Item #12 on the agenda.

Motions passed by the following roll call votes:

AYES: Strong, Gilman, Steinbeck, Hamon, Picanco

NOES:

ABSTAIN:

## DISCUSSION

8. **Ordinance to Amend Fiscal Year 10/11 Budget to Appropriate Redevelopment Low and Moderate Income Housing Funds for the Hidden Creek Village affordable housing project.**

R. Whisenand, Community Development Director

For the City Council to adopt an ordinance to amend the Fiscal Year 10/11 Budget to appropriate Redevelopment Low and Moderate Income Housing (LMIH) Funds for the Hidden Creek Village affordable housing project.

Mayor Picanco opened the Public Hearing. Speaking from the public was John Borst, Ron Whisenand (Staff), and Ed Gallagher (Staff). There were no other comments received from the public, either written or oral, and the public hearing was closed.

Councilmember Gilman, seconded by Councilmember Steinbeck, moved to introduce the first reading of Ordinance No. 969 N.S. amending the Fiscal Year 2010/2011 Budget for the Redevelopment Low and Moderate Income Housing Fund, and set August 3, 2010 as the date for adoption of said ordinance.

Motion passed by unanimous roll call votes:

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

**9. 2010 Community Development Block Grant (CDBG) Program**

R. Whisenand, Community Development Director

For the City Council to make budget appropriations for projects to be accomplished with the City's allotment of 2009 Community Development Block Grant (CDBG) funds and with re-programmed funds from prior years.

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 Strong, moved to adopt Resolution No. 10-102 allocating the City's allotment of 2010 CDBG funds and re-programmed 2007 CDBG funds.

Motion passed by unanimous roll call votes:

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

**10. Landscape Plans for Library/City Hall Spring Remediation**

D. Monn, Public Works Director

For the City Council to consider plans for landscape replacement and improvements in the Library/City Hall Parking Lot and authorize staff to secure bids for Phase I improvements.

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 Strong, seconded by Councilmember Steinbeck, moved to adopt Resolution No. 10-103 approving the landscape plan for City Hall and authorizing staff to secure bids for Phase I of said plan. Council also moved to amend the motion authorizing staff to design and add Phase II of the conceptual landscape plan as a bid addendum which would enable Council to complete both phases at once if they desire.

Motion passed by the following roll call votes:

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

**11. Fiscal year 2010/2011 Supplemental Budget Allocation for Water Conservation Incentive Programs**

D. Monn, Public Works Director

For City Council to consider a fiscal year 2010/2011 supplemental allocation for the City's water conservation incentive 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 Steinbeck, seconded by Councilmember Strong, moved to adopt Resolution No. 10-104 authorizing an increase in the FY 2011 Water Conservation Program budget from existing Water Fund budgeted funds.

Motion passed by the following roll call votes:

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

## **12. Professional Auditing Services and Related Reporting**

J. Throop, Administrative Services Director

For the City Council to consider approval of a contract for professional auditing services and related reporting.

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 Strong, moved to adopt Resolution No. 10-105 approving a three year contract with a two year extension and authorizing the Director of Administrative Services to execute said contract with Moss, Levy & Hartzheim LLP, to undertake the scope of annual financial auditing and reporting work as identified in their proposal for Fiscal Years 2011, 2012 and 2013.

Motion passed by unanimous roll call votes:

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

## **7. Pulled from Consent Calendar:**

**Adopt Resolution No. 10-101 approving award and authorization to enter into a contract with C3 Construction & Development in the amount of \$276,900 to install sidewalks, ornamental light fixtures and other improvements along Riverside Avenue.**

D. Monn, Public Works Director

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 Strong, seconded by Councilmember Steinbeck, moved to adopt Resolution No. 10-101 and authorized staff to enter into a contract with C3 Construction & Development. The motion was amended to include more fence openings to improve circulation as a construction contract change order. Staff will get back to Council individually with suggestions regarding the number of openings.

Motion passed by the following roll call votes:

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

## **COUNCIL COMMENTS**

- **Nick Gilman** spoke about his belief that the Acorn lantern light standard should not be applied outside of the downtown core. He would like to address this standard at a future meeting.

**ADJOURNMENT at 8:32 p.m. to CLOSED SESSION:**

**a. Conference with Legal Counsel - existing litigation**

Government Code Section 54956.9(a)

- i. Borst v. City of Paso Robles, San Luis Obispo County Superior Court Case No. CV 10-8193
- ii. Russell Peterson et al. v. City of Paso of Robles, U. S. Dist. Court, Central Dist. of California, Case No. CV 10-1705-PA (MANx)

**b. Conference with Legal Counsel – anticipated litigation**

Government Code Section 54956.9(b)

Number of potential cases -1

**c. Public Employee Performance Evaluation**

Government Code Section 54957

Title: City Manager

**ADJOURNMENT at 10:45 p.m. to:**

- WINE INDUSTRY AWARDS FRIDAY, JULY 30, 2010 AT 4:00 PM. IN THE MISSION PLAZA, MID-STATE FAIRGROUNDS.
- THE REGULAR MEETING AT 7:30 PM OF TUESDAY, AUGUST 3, 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:

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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.**