



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, October 18, 2011 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

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

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

STAFF INTRODUCTIONS

PUBLIC COMMENTS

This is the time the public may address the Council on items other than those scheduled on the agenda. **PLEASE SPEAK DIRECTLY INTO THE MICROPHONE AND BEGIN BY STATING YOUR NAME AND ADDRESS. EACH PERSON AND SUBJECT IS LIMITED TO A 3-MINUTE DISCUSSION.** Any person or subject requiring more than three minutes may be scheduled for a future Council meeting or referred to committee or staff. Those persons wishing to speak on any item scheduled on the agenda will be given an opportunity to do so at the time that item is being considered.

- Rod Smiley of Paso Robles Laundry spoke about his steam whistle.
- Norma Moya thanked the Council for speaking in favor of the whistle.
- Mary Alvarado announced the memorial service for slain Napa Psychiatric Technician is scheduled for this Sunday at Atascadero State Hospital.
- Talitha Jansen Van Resburg, Youth Commissioner, spoke of teen activities and Youth Commission goals.
- Bertha Bybee spoke in support of the Senior Center.
- Wayne Harris thanked Council for approving of the Whistle.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

PRESENTATIONS

1. **Proclamation – Greig Welch Retirement**
Mayor Picanco presented a proclamation to Greig including a brief recap of Greig's career.
2. **Proclamation – Domestic Violence Awareness Month**
Mayor Picanco presented the proclamation to Jennifer Adams of North County Women's Shelter and Resources Center.

PUBLIC HEARINGS

3. **Certificate of Appropriateness 11-001 (Derby Wine Estates)**

E. Gallagher, Community Development Director introduced Darren Nash, Assoc. City Planner

For the City Council to consider a request for a Certificate of Appropriateness related to the reconstruction of the cupola portion of the Farmer's Alliance building.

Mayor Picanco opened the public hearing. Speaking from the public were Craig Smith, Dale Gustin, and Ron Rose. There were no other comments, either written or oral, and the public hearing was closed.

Councilman Strong, seconded by Councilman Steinbeck moved to adopt Resolution No. 11-131 approving a Certificate of Appropriateness which would allow Derby Wine Estates to remove the cupola of the Farmers Alliance building and reconstruct the cupola in a manner that would comply with the Secretary of Interior Standards, subject to standard and site specific conditions of approval.

Motion passed by the following roll call vote:

AYES: Strong, Steinbeck, Gilman, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT:

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.

4. **Approve City Council Minutes from October 4, 2011**

D. Fansler, City Clerk

5. **Approve Warrant Register No.99676-99740 (9/30/11), 99741-99871 (10/07/11), and other payroll services.**

J. Throop, Administrative Services Director

6. **Approve Advisory Body Minutes**

Travel Paso Robles Alliance (BID) Meeting Minutes from August 23, 2011

Youth Commission Meeting Minutes from September 7, 2011

Senior Citizen Advisory Meeting Minutes from September 12, 2011

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

Consent Calendar items 4 thru 6 were approved on a single motion by Councilman Strong and seconded by Councilman Hamon.

Motion passed by the following roll call vote:

AYES: Strong, Hamon, Gilman, Steinbeck, Picanco

NOES:

ABSTAIN:

ABSENT

DISCUSSION

7. Wastewater Facility Charges

D. Monn, Public Works Director

For the City Council to consider either 1) amending its existing contracts with TJCross Engineers and Kennedy/Jenks Consultants to supplement a wastewater facility charge study, or 2) scheduling a public hearing for November 1, 2011, to reconsider the wastewater facility charges as proposed.

Mayor Picanco opened the public discussion. Speaking from the public was Dale Gustin, Keith Belmont, Chris Iverson, Vince Vanderlip, and Dan Lloyd. There were no other comments, either written or oral, and the public discussion was closed.

Options:

- a. Adopt Resolution No. 11-xxx authorizing the City Manager to amend the existing contractual arrangements with TJCross Engineers and Kennedy/Jenks Consultants to provide services associated with wastewater facility charges on a time and materials basis; or
- b. Direct staff to schedule a public hearing for November 1 to reconsider wastewater facility charges as currently proposed; or
- c. Amend, modify, or reject the above options.

First Motion

Councilman Steinbeck, seconded by Councilman Strong moved to adopt Option B.

Motion failed by the following roll call vote:

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

Second Motion

Councilman Strong, seconded by Councilman Steinbeck reintroduced and moved to adopt Option B.

Motion passed by the following roll call vote:

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

8. Request To Remove One Oak Tree At The City Water Booster Station Located At 1680 Kleck Road (City Initiated)

E. Gallagher, Community Development Director introduced Darren Nash, Assoc. City Planner

For the City Council to consider a City-initiated request to remove one oak tree before it causes damage to City water facilities.

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

Councilman Gilman, seconded by Councilman Hamon, moved to adopt Resolution No. 11-132 approving OTR 11-009, allowing the removal of the 7-inch Live oak tree, based on the tree being a young landscape tree and not a native tree, and since the tree is growing too close to City equipment and building and will most likely cause damage to the City facilities if the tree were to remain, and require one (1) 2-inch diameter replacement tree to be planted in a public area at a time and place to be determined by the Street Superintendent

Motion passed by the following roll call vote:

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

9. Redevelopment Agency Update on Lawsuit and Options

J. Throop, Administrative Services Director

Iris Yang, City Attorney, gave an update on lawsuit challenging redevelopment legislation and potential options.

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

Councilman Strong, seconded by Councilman Hamon moved to receive and file the report.

Motion passed by the following roll call vote:

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

CITY MANAGER - None

COUNCIL COMMENTS - None

CLOSED SESSION ITEMS - None

ADJOURNMENT at 10:25PM TO:

- CITY COUNCIL/PLANNING COMMISSION BREAKFAST – 7:00 AM ON FRIDAY, OCTOBER 21, 2011 AT TOUCH OF PASO RESTAURANT.
- PLANNING COMMISSION MEETING - 7:30 PM ON TUESDAY, OCTOBER 25, 2011 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- REGULAR CITY COUNCIL MEETING - 7:30 PM ON TUESDAY, NOVEMBER 1, 2011 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.

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.

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