



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, November 15, 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.

- Ian Hoover of Paso Robles Waste Disposal spoke about their receipt of a green business award.
- Cameron Holt spoke about Youth Commission activities.

AGENDA ITEMS TO BE DEFERRED - None

PRESENTATIONS

- None

PUBLIC HEARINGS

1. **Wastewater User Rates Protest Hearing**
D. Monn, Public Works Director

For the City Council to open a public hearing allowing formal written protest opposing proposed wastewater user rates. At the close of the hearing, if there is no majority protest then consider adoption of wastewater user rates.

Mayor Picanco opened the public hearing. Speaking from the public was:

- Bruce White voiced a concern about the user rate structure being proposed for office/professional buildings.
- Keith Belmont agreed with the office/professional rate concerns voiced by Bruce White.
- Karl Hansen wants rates to be high enough to discourage over use of water/wastewater.
- Bill Joyce suggested that citizens should be able to appeal their bills without being told by clerical staff that they cannot change the Council's directions.
- Kathy Barnett voiced concerns about the rate language.
- John Borst suggested that the Council reconsider this issue. Suggested a ban on softeners before going forward with the new plant.
- Gary Duniven spoke against the wastewater rate increase.
- Larry Werner spoke in favor of the Wastewater Plant replacement.

There were no other comments, either written or oral, and the public hearing was closed.

1st action

Councilman Steinbeck, seconded by Councilman Gilman moved to establish the number of valid written protests (20) that have been submitted per Proposition 218/Article XIID of the California Constitution.

Motion passed by the following roll call vote:

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

2nd action

Councilman Steinbeck, seconded by Councilman Gilman moved to adopt Resolution No. 11-141 approving the November 7, 2011 Final Rate and Revenue Analysis Final Report by Kennedy/Jenks Consultants.

Motion passed by the following unanimous roll call vote:

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

3rd action

Councilman Steinbeck, seconded by Councilman Gilman moved to introduce and read by title only Ordinance No. 975 N.S as amended by the City Attorney.

Motion passed by the following unanimous roll call vote:

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

4th action

Councilman Hamon, seconded by Councilman Gilman moved to direct staff to come back, by the first Council meeting in March, with suggestions (specifically allowing a lower cost second water meter) for dealing with office/professional business's wastewater user rate fees.

Motion passed by the following unanimous roll call vote:

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

2. Code Amendment 11-002 - Emergency Homeless Shelters Ordinance

E. Gallagher, Community Development Director

For the City Council to consider adopting an Emergency Homeless Shelter Ordinance and associated environmental determination.

Mayor Picanco opened the public hearing. Speaking from the public was:

- Else Mai Curry, North County Homeless service representative
- Kathy Barnett

There were no other comments, either written or oral, and the public hearing was closed.

1st action

Councilman Gilman, seconded by Councilman Hamon moved to adopt Resolution No. 11-142 adopting the Negative Declaration for this project.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong, Picanco

NOES:

ABSTAIN:

ABSENT:

2nd action

Councilman Gilman, seconded by Councilman Hamon moved to introduce for first reading Ordinance No. 976 N.S.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong, Picanco

NOES:

ABSTAIN:

ABSENT:

3rd action

Councilman Gilman, seconded by Councilman Hamon, moved to direct staff to address small capacity group housing for medically ill homeless persons in the next semi-annual update of the Uptown/Town Center Specific Plan.

Motion passed by the following unanimous roll call vote:

AYES: Gilman, Hamon, Steinbeck, Strong, Picanco

NOES:

ABSTAIN:

ABSENT:

3. Supplemental Law Enforcement Service Fund

L. Solomon, Chief of Police

For the City Council to consider accepting the California State Supplemental Law Enforcement Service funds available in fiscal year 2011/12 and approving the outlined expenditure plan.

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

Councilman Hamon, seconded by Councilman Strong, moved to adopt Resolution No. 11-143 accepting the California State Supplemental Law Enforcement Service funds available in fiscal year 2011/12 and approve the outlined expenditure plan.

Motion passed by the following roll call vote:

AYES: Hamon, Strong Gilman, Steinbeck, 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 November 5, 2011.**
Item pulled and moved to the end of the agenda.
5. **Approve Warrant Register No. 100090 - 100175 (10/28/11), 10076 - 100331 (11/04/11), and other payroll services.**
J. Throop, Administrative Services Director
6. **Approve Advisory Body Minutes**
Promotions Coordinating Committee Minutes for September 13, 2011
7. **Adopt Resolution No. 11-144 accepting the extension of term appointments for Travel Paso Robles Alliance committee members.**
M. Williamson, Assistant City Manager
8. **Adopt Resolution No. 11-145 authorizing purchase of Charolais Road property out of the Park Development Impact.**
M. Williamson, Assistant City Manager
9. **Schedule Dates for Applicant Interviews/Appointments for Planning Commission Vacancies.**
E. Gallagher, Community Development Director

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

Consent Calendar items 5 thru 9 were approved on a single motion by Councilman Hamon and seconded by Councilman Strong.

Motion passed by the following roll call vote:

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

DISCUSSION

10. Timing of Water Capital Projects

D. Monn, Public Works Director

For City Council to establish priorities for water system capital projects.

Mayor Picanco opened the public discussion. Speaking from the public was Karl Hansen, Kathy Barnett, and Larry Werner. There were no other comments, either written or oral, and the public discussion was closed.

Councilman Hamon, seconded by Councilman Steinbeck, moved to authorize the following:

1. For staff to begin contract negotiations with AECOM for final design of the plant (prior design work focused on the 4/6 MGD full capacity options – design of a smaller seasonal plant is yet to be done);
2. Advertise for construction bids, award, and construction management services, and;
3. Confirm the continuing validity of the February 2009 Negative Declaration for the project.
4. Plan on similar steps for the 21st Street Reservoir as the next priority.

Motion passed by the following roll call vote:

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

11. Dog Park Lease

J. Dahlen, Library and Recreation Services Director

For the City Council to consider a lease option and lease with Parks for Pups to develop a privately funded and maintained dog park on city property adjacent to/east of the Senior Center in Sherwood Park and authorize City Manager to execute lease option.

Mayor Picanco opened the public discussion. Speaking from the public was Larry Miller of Parks for Pups. There were no other comments, either written or oral, and the public discussion was closed.

Councilman Gilman, seconded by Councilman Strong, moved to adopt Resolution No. 11-146 authorizing City Manager to execute the Lease Option, and approve form of Lease.

Motion passed by the following roll call vote:

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

12. Solid Waste Service Contracts and Landfill Tipping Fees

D. Monn, Public Works Director

For City Council to consider outsourcing the renegotiation of solid waste service contracts with Paso Robles Waste Disposal (hauling) and Pacific Waster Services (landfill operations).

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

1st action

Councilman Strong, seconded by Councilman Gilman moved to adopt a resolution allocating \$85,100 and authorize the City Manager to enter into 'not-to-exceed' contracts with R3 Consulting Group, Inc. and TJ Cross Engineers to negotiate terms of amended contracts with the City's solid waste vendors and recommend adjustments to tipping fees.

Motion failed by the following roll call vote:

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

2nd action

Councilman Hamon, seconded by Councilman Steinbeck moved to adopt Resolution No. 11-147 allocating \$65,100 and authorize the City Manager to enter into 'not-to-exceed' contracts with R3 Consulting Group, Inc. and TJ Cross Engineers to negotiate terms of amended contracts with the City's solid waste vendors and recommend adjustments to tipping fees.

Motion passed by the following roll call vote:

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

Item Pulled from Consent

4. Approve City Council Minutes from November 5, 2011

D. Fansler, City Clerk

The title of item 4 should read "Minutes from November 1, 2011".

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

Councilman Gilman, seconded by Councilman Strong, moved to approve the following amendments to the November 1, 2011 minutes:

- Item #13 amended to read "pavement striping".

Motion passed by the following roll call vote:

AYES: Gilman, Strong, Steinbeck, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT

CITY MANAGER - None

COUNCIL COMMENTS

- Councilman Strong spoke regarding the 25th Anniversary of Niblick Bridge.

CLOSED SESSION ITEMS - None

ADJOURNMENT at 10:24PM TO:

- AIRPORT ADVISORY COMMITTEE APPLICANT INTERVIEWS ON THURSDAY, NOVEMBER 17, 2011 AT 7:00 PM IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- 25TH ANNUAL DOWNTOWN HOLIDAY LIGHTING CEREMONY - 5:30 PM ON FRIDAY, NOVEMBER 25, 2011 AT THE DOWNTOWN CITY PARK.
- 50TH ANNUAL DOWNTOWN CHRISTMAS LIGHT PARADE ON SATURDAY, DECEMBER 3, 2011 AT 6:15 PM ON SPRING STREET BETWEEN 9TH AND 10TH
- REGULAR CITY COUNCIL MEETING - 7:30 PM ON TUESDAY, DECEMBER 6, 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.