



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL AGENDA

Tuesday, October 2, 2012 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 – Pat Sheehan

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.

- Kathy Barnett spoke about the importance of voting and spoke in favor of the sales tax initiative.
- Jeff Horton spoke against the sales tax initiative because it is not specific to road repairs. He also spoke against the new handicapped curbs.
- Karl Hanson spoke in favor of Steve Martin for City Council and encouraged everyone to vote.
- Dana Cancaro spoke out against the new water and sewer rates.

AGENDA ITEMS TO BE DEFERRED - None

PRESENTATIONS (None)

PUBLIC HEARING

1. **General Plan Amendment 2012-002**
E. Gallagher, Community Development Director

For the City Council to consider a City-initiated amendment to the text of the Land Use Element to address the following issues:

- a. Incorporate a vacancy rate in the calculation of population that will reside in the City at the time of “build-out” of all dwelling units authorized by the Land Use Element;
- b. Use an average household size calculated as the 30 year average reported by the U.S. Census Bureau instead of the average household size reported by the State Department of Finance in its 2005 population estimate;
- c. Update text and tables that report the status of acreages of areas for various land uses, potential numbers of dwelling units, existing floor areas for commercial/industrial development;
- d. Make several minor “clean up” updates throughout the Land Use Element.

Mayor Picanco opened the public discussion. Speaking from the public were Kathy Barnett who spoke her concerns; Larry Werner, Neil Olsen, Mike Harrod, and Jay Huebner spoke in favor. There were no other comments, either written or oral, and the public discussion was closed.

1st Motion

Motion by Councilman Strong, seconded by Councilman Steinbeck, to adopt Resolution No. 12-162 approving a Negative Declaration for the general plan amendment.

Motion **passed** by the following roll call vote:

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

2nd Motion

Motion by Councilman Strong, seconded by Councilman Steinbeck, to adopt Resolution No. 12-163 approving the general plan amendment as recommended by the Planning Commission, including a 5% vacancy rate and deletion of Items #2 and 3 under "Limitations on the Chandler Ranch, Olsen Ranch, Beechwood Area, and Uptown/Town Centre Specific Plans".

Motion passed by the following roll call vote:

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

2. Nuisance Abatement

K. Johnson, Chief of Emergency Services

For the City Council to conduct a public hearing to consider objections to an earlier nuisance declaration (weeds creating a fire hazard) and ordering nuisance abatement.

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

Motion by Councilman Gilman, seconded by Councilman Strong, to adopt Resolution No. 12-164 confirming the existence of public nuisances which have created potential fire hazards and ordering their abatement

Motion passed by the following roll call vote:

AYES: Strong, Gilman, Steinbeck, 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.

- 3. Approve City Council Minutes from September 18, 2012**
D. Fansler, City Clerk
- 4. Approve Warrant Register No. 105312-105435 (9/14/12), 105436-105573 (9/21/12), and other payroll services**
J. Throop, Administrative Services Director
- 5. Advisory Body Minutes**
Library Board of Trustees Minutes from August 9, 2012
Senior Citizen Advisory Committee Minutes from August 13, 2012
Parks and Recreation Advisory Committee Minutes from August 14, 2012
Promotions Coordinating Committee Minutes from August 14, 2012
REC Foundation Minutes from August 15, 2012
- 6. Item #6 pulled for Discussion**
- 7. Approve the Form 806 listing of Council appointments for which compensation is received and direct the City Clerk to post For 806 on the City's website.**
M. Williamson, Assistant City Manager
- 8. Proclamation – Rideshare Month (October)**
- 9. Proclamation – “Freedom from Bullies Week” (October 14-20, 2012)**

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

Consent Calendar items 3 through 5 and 7 through 9 were approved on a single motion by Councilman Steinbeck and seconded by Councilman Strong.

Motion passed by the following roll call vote:

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

DISCUSSION

Item 6 pulled from consent for discussion

- 6. Read By Title Only and Adopt Ordinance No. 985 N.S., adding Chapter 5.38 To The Municipal Code regarding Massage Therapy And Massage Establishments**
R. Burton, Acting Chief of Police

Mayor Picanco opened the public discussion. Speaking from the public were Mary Huebner and Allana Morrison, who suggested changes to the ordinance. Helena Bresk and Greg Carol both spoke against the ordinance. There were no other comments, either written or oral, and the public discussion was closed.

Motion by Councilman Steinbeck, seconded by Councilman Hamon, to continue this at the November 20, 2012 Council meeting.

Motion passed by the following roll call vote:

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

Regularly Scheduled Items

- 10. Amend Municipal Code - Operation of Motor Vehicles on Public Property**
R. Burton, Acting Police Chief

For the City Council to consider postponing the adoption of Municipal Code 12.92 – Operation of Motor Vehicles on Public Property to clarify policy questions.

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

1st Motion

Motion by Councilman Hamon, to introduce the second reading, and adopt Ordinance No. XXX to amend Title 12 of the Paso Robles Municipal Code adopting Chapter 12.92 to address and regulate off-highway motor vehicles on public property. Motion failed due to the lack of a second.

2nd motion

Motion by Councilman Steinbeck, seconded by Councilman Strong to revise ordinance and bring back for discussion at the next City Council meeting (October 16, 2012). *Need help on this one from Jim, Meg and/or Iris.*

Motion passed by the following roll call vote:

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

11. Nacimiento Worker Memorial

D. Monn, Public Works Director

To authorize placement of a memorial for those who lost their lives during the construction of the Nacimiento Pipeline.

Options:

- a. Authorize placement of a worker memorial as proposed.
- b. Amend, modify, or reject the above option.

PUBLIC COMMENT

Kathy Barnett spoke in favor of the memorial.

ROLL CALL VOTE (11)

Motion by Councilman **Hamon**, seconded by Councilman **Strong** to adopt Option **A**

Motion **passed** by the following roll call vote:

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

12. Police Chief Selection – Participative Process

J. App, City Manager

For the City Council to appoint citizens to participate in Police Chief Candidate interview panels.

Options:

- a. Each Council Member appoint a citizen, and the Mayor appoint two, to serve on a Police Chief Interview Panel.
- b. Council request recruitment and Council interview of interested citizens; appointment by Council majority.
- c. Amend, modify or reject the options above.

PUBLIC COMMENT - none

ROLL CALL VOTE (12)

1st motion

Motion by Councilman **Steinbeck**, seconded by Councilman **Strong** to adopt Option **A**

Motion **passed** by the following roll call vote:

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

2nd motion

Motion by Councilman **Strong**, seconded by Councilman **Hamon** to adopt appointments as suggested by Council and the mayor.

Hamon – Dennis Cassidy
Strong – Vivian Robertson
Gilman – Armando Corrello
Steinbeck – Al Garcia
Mayor Picanco – Ed Bedrosian, Julian Crocker

Motion **passed** by the following roll call vote:

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

13. Barney Schwartz Park Concessions Request for Proposals

J. Dahlen, Library and Recreation Services

For the City Council to authorize City staff to distribute a Request for Proposals for concessionaires at Barney Schwartz Park.

Options:

- a. Authorize City staff to distribute a Request for Proposals for concessionaires at Barney Schwartz Park.
- b. Amend, modify, or reject the above options.

PUBLIC COMMENT

Richard Carlos asked questions about rent.

ROLL CALL VOTE (13)

Motion by Councilman **Gilman**, seconded by Councilman **Steinbeck** to adopt Option **A**

Motion **passed** by the following roll call vote:

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

14. Paso Robles Festival of the Arts – Extension of Memorial Day Event

M. Williamson, Assistant City Manager

For the City Council to authorize the extended use of the City Park for the Festival of the Arts on Memorial Day weekend.

Options:

- a. Adopt Resolution 12-xxx extending use of the City Park on Memorial Day Weekend through 2015 for the Paso Robles Festival of the Arts;
- b. Amend, modify, or reject the above option.

PUBLIC COMMENT - none
ROLL CALL VOTE (14)

Motion by Councilman **Gilman**, seconded by Councilman **Strong** to adopt Option **A**

Motion **passed** by the following roll call vote:

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

15. Fire Engine Replacement

K. Johnson, Chief of Emergency Services

For the City Council to consider replacing one fire engine.

Options:

- a. Approve the lease/purchase of one (1) fire engine not to exceed \$500,000 and authorize the City Manager to execute the purchase; or
- b. Amend, modify, or reject above option.

PUBLIC COMMENT - none
ROLL CALL VOTE (15)

Motion by Councilman **Hamon**, seconded by Councilman **Strong** to adopt Option **A**

Motion **passed** by the following roll call vote:

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

16. Surplus Property

J. Throop, Administrative Services Director

For the City Council to consider declaring certain City property as surplus and authorize its disposal.

Options:

- a. Adopt Resolution No. 12-xxx declaring certain City property as surplus and authorize their sale to recyclers, wholesalers or by public auction, bid or sale; or
- b. Amend, modify, or reject the above option.

PUBLIC COMMENT - none
ROLL CALL VOTE (16)

Motion by Councilman **Strong**, seconded by Councilman **Gilman** to adopt Option **A**

Motion **passed** by the following roll call vote:

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

CITY MANAGER (None)

COUNCIL COMMUNICATION (None)

Strong commented on his activities on behalf of the council and community.

Gilman commented on the L&L District citizen complaints.

CLOSED SESSION ITEMS (None)

ADJOURNMENT AT 9:45PM TO:

- YOUTH COMMISSION INTERVIEWS & APPOINTMENTS – THURSDAY, OCTOBER 4, 2012 AT 7:00PM IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- REGULAR PLANNING COMMISSION MEETING - 7:30 PM ON TUESDAY, OCTOBER 9, 2012 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- REGULAR CITY COUNCIL MEETING - 7:30 PM ON TUESDAY, OCTOBER 16, 2012 IN 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.

THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR MEETING IS OCTOBER 5, 2012