



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, December 3, 2013 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 – Ed Bedrosian

ROLL CALL Councilmembers Ed Steinbeck, John Hamon, Steve Martin, 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.

- Youth Commissioners Taylor Ellstrom and Elisa Santiago spoke about upcoming events.

AGENDA ITEMS TO BE DEFERRED - None

PRESENTATIONS - None

PUBLIC HEARING

1. [General Plan Amendment 2013-0012](#)

E. Gallagher, Community Development Director

For City Council to consider a City-initiated amendment to the Land Use Element of the General Plan to amend the Land Use Element's Land Use Map (Figure LU-6) to redesignate 60 lots developed with urban uses located in the historic downtown (between Vine Street and the UP Railroad and between 10th and 21st Streets – as shown in the map in Attachment 1), to more-accurately reflect the applicable zoning established by the Uptown/Town Centre Specific Plan.

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

A motion was made by Councilman Strong and seconded by Councilman Martin to adopt Resolution 13-158 approving General Plan Amendment 2013-002.

Motion passed by the following roll call vote:

AYES: Strong, Martin, Steinbeck, Picanco
NOES:
ABSTAIN:
ABSENT: Hamon (recused himself)

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.

2. [Approve City Council Minutes from November 19th, 2013](#)
D. Fansler, City Clerk
3. [Approve Warrant Registers 112957-113109 \(11/15/13\), 113110-113255 \(11/22/13\), and other payroll services](#)
J. Throop, Director of Administrative Services
4. [Advisory Body Minutes](#)
Library Board of Trustees (October 10, 2013)
Parks and Recreation Advisory Committee (October 14, 2013)
5. [Adopt Resolution 13-159 declaring 2 dispatch consoles as surplus and authorizing their sale to recyclers, wholesalers or by public auction, bid or sale](#)
J. Throop, Director of Administrative Services
6. [Adopt Resolution 13-160 accepting Negotiated Exchange of Property Tax Revenue and Annual Tax Increment between the County of San Luis Obispo and the City](#)
E. Gallagher, Community Development Director
7. [Adopt Resolution 13-161 to allocate the City's allotment of 2013 Community Development Block Grant \(CDBG\) funds](#)
E. Gallagher, Community Development Director

Consent Calendar items 2 through 7 were approved on a single motion by Councilman Steinbeck and seconded by Councilman Strong. Councilman Martin abstained on item 3, warrant register #113030.

Motion passed by the following roll call vote:

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

DISCUSSION

8. [Street Repair "Hot Spots" and North County Transportation Parking Lot Contract Award](#)
D. Monn, Public Works Director

For City Council to consider awarding a contract to repair street "hot spots" and resurface the parking lot at the North County Transportation Center (NCTC).

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.

A motion was made by Councilman Martin and seconded by Councilman Steinbeck to Adopt Resolution 13-162:

- 1) Allocating \$21,150 from Transit Funds to Budget No. 206.910.5452.230 to resurface the parking lots at the NCTC, and
- 2) Awarding a contract for "hot spot" street repairs and resurfacing the parking lots at the NCTC to Ferravanti Paving in the amount not to exceed \$135,781.20, and authorizing the City Manager to execute the contract.

Motion passed by the following roll call vote:

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

9. Amendment to Title 9 of Municipal Code (Public Safety) - Prohibition on Aggressive Solicitation

R. Burton, Chief of Police

For the City Council to consider amending Title 9 of the Paso Robles Municipal Code (Public Safety) to add new Chapter 9.50 - Prohibition on Aggressive Solicitation.

Mayor Picanco opened the public discussion. Speaking from the public were Beatrice Martinez, Jeromie Dillon, John Allman, Johnathan Gannon, John Gannon, Jim Fotonakis, Zoe Taylor, Joe Miller, Mike Miller and Matt Masia. There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Martin and seconded by Councilman Steinbeck to introduce for the first reading Ordinance 998 N.S. adding Chapter 9.50 which will address and regulate aggressive solicitation, *amended with language provided by City Attorney Iris Yang*; and setting January 7, 2014, as the date for adoption of said ordinance.

Motion passed by the following roll call vote:

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

10. Contract to Replace City Hall/Library Roof

D. Monn, Public Works Director

For City Council to consider a contract to replace the City Hall/Library Roof.

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

Motion by Councilman Hamon, seconded by Councilman Steinbeck to adopt Resolution 13-163:

- 1) Allocating \$226,383 to Budget No. 100-910-5452-445 from General Fund Reserves, and;
- 2) Authorize the City Manager to enter into a contract with Quaglino Roofing in the amount of \$205,803 to replace the City Hall/Library roof.

Motion passed by the following roll call vote:

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

11. 2013 California Building Standards Code Ordinance

D. Monn, Public Works Director

For the City Council to waive full reading and introduce by title only for first reading the following Ordinance and set public hearing for December 17, 2013, to adopt the ordinance.

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.

A motion was made by Councilman Hamon, seconded by Councilman Strong to introduce and waive full reading of the subject Ordinance; and set a public hearing for December 17, 2013, to take testimony and consider adopting this ordinance.

Motion passed by the following roll call vote:

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

12. Approve Rescission of Certain Agreements Regarding Interchange Agreements at Highway 46E and Golden Hill Road

E. Gallagher, Community Development Director

That the City Council approve the rescission of certain agreements regarding interchange improvements at Highway 46 East and Golden Hill Road.

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

A motion was made by Councilman Martin and seconded by Councilman Strong to adopt Resolution 13-164, as provided by City Attorney Iris Yang, to approve the rescission of certain agreements regarding interchange improvements at Highway 46 and Golden Hill Road, as no further improvements are planned.

Motion passed by the following roll call vote:

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

13. Penalties for Wastewater Treatment Plant Effluent Violations

D. Monn, Public Works Director

For City Council to consider settling penalties for wastewater treatment plant effluent violations.

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

Motion by Councilman Strong, seconded by Councilman Martin to adopt Resolution 13-165:

- 1) Authorize the City Manager to settle this matter by signing and submitting the "Acceptance of Conditional Resolution and Waiver of Right to Hearing,"
- 2) Approve payment of the \$321,000 penalty from the Sewer Enterprise Fund, and 3) request the Water Board direct \$168,000 of the penalty to the Low Impact Development Initiative and Central Coast Ambient Monitoring Program.

Motion passed by the following roll call vote:

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

COUNCIL BUSINESS

- Mayor Picanco commented on CAPSLO appointment and the need to put it on a future agenda.
- Councilman Martin spoke about the River Trail ad hoc committee, the Economic strategy update, and the AAA City Bond rating.

ADJOURNMENT AT 8:58PM TO CLOSED SESSION:

- **Conference with Real Property Negotiator**

Government Code Section 54956.8

City Negotiator: Meg Williamson, Assistant City Manager
Property: 801 4th Street (APN: 009-261-004)
Negotiating Party: Jim Saunders, Pacific Management & Development Corporation
Under Negotiation: Price and terms of payment

No Reportable Action

A motion was made by Councilman Martin and seconded by Councilman Hamon to adjourn to closed session.

Motion passed by the following VOICE vote:

AYES: Martin, Hamon, Steinbeck, Strong, Picanco

NOES:

ABSTAIN:

ABSENT:

ADJOURNMENT AT 9:30PM TO:

- 52ND ANNUAL CHRISTMAS LIGHT PARADE- 7:00PM ON SATURDAY DECEMBER 7, 2013. SPRING STREET IN DOWNTOWN PASO ROBLES.
- REGULAR PLANNING COMMISSION MEETING - 7:30PM ON TUESDAY, DECEMBER 10, 2013 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- 27TH ANNUAL VINE STREET VICTORIAN SHOWCASE – 5:45PM ON SATURDAY, DECEMBER 14, 2013 BEGINNING AT 20TH AND VINE STREET.
- REGULAR CITY COUNCIL MEETING - 7:30PM ON TUESDAY, DECEMBER 17, 2013 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.

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