



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES

Tuesday, November 16, 2010 7:30 PM

MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL  
CONFERENCE CENTER, 1000 SPRING STREET

### 7:30 PM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Center

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL Councilmembers Nick Gilman, Ed Steinbeck, John Hamon, Fred Strong

ABSENT Mayor Duane Picanco

STAFF INTRODUCTIONS

PUBLIC COMMENTS –

- Karen Belk – Commented on Riverbank Dog Park.
- Carl Hansen – Commented on PG&E Smart Meters.
- Doug Monn – Announced Wastewater meeting at Oak Creek Commons Nov. 17, 2010.

AGENDA ITEMS TO BE DEFERRED - 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 from October 26, 2010 and November 2, 2010  
D. Fansler, City Clerk
2. Approve Warrant Register No. 93813 - 93938 (10/29/10), 93939-94111 (11/05/10), and other payroll services.  
J. Throop, Administrative Services Director
3. Approve Advisory Body Minutes  
Library Board of Trustees Minutes from September 9, 2010

4. Adopt Resolution No. 10-146 approving a Memorandum of Understanding with the Paso Robles Public Schools and authorizing a Wastewater Public Education grant  
D. Monn, Public Works Director
5. Adopt Resolution No. 10-147 extending the terms of expiring advisory committee appointments for both the Travel Paso Robles Alliance (TPRA) and the Promotions Coordinating Committee (PCC)  
M. Williamson, Assistant City Manager

Consent Calendar Items 1-5 were approved on a single motion by Councilmember Hamon, seconded by Councilmember Strong.

Motions passed by the following vote:

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

## **DISCUSSION - ADJOURN TO REDEVELOPMENT AGENCY**

**ROLL CALL** Agency Members Nick Gilman, Ed Steinbeck, Fred Strong, and Chairman John Hamon

**ABSENT** Duane Picanco

6. **Habitat for Humanity: Request for Assistance to Develop Six Homes for Very Low Income First-Time Homebuyers**  
R. Whisenand, Community Development Director

For the City Council and Redevelopment Agency to consider a request filed by Habitat for Humanity of the County of San Luis Obispo (Habitat) for financial assistance to develop six homes for very low income first-time homebuyers.

Chairman Hamon opened the public discussion. There were no comments from the public, either written or oral, and the public discussion was closed.

### **Redevelopment Agency Vote**

Agency Member Steinbeck, seconded by Agency Member Strong, moved to adopt Resolution No. RA 10-006 reserving Up to \$270,000 in Redevelopment low and moderate income housing funds to assist the development of six single family homes for very low income Households by Habitat for Humanity for San Luis Obispo County.

Motion passed by the following roll call vote:

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

### **City Council Vote**

Councilmember Steinbeck, seconded by Councilmember Hamon, moved to adopt Resolution No. 10-148 reserving up to \$225,000 in CalHome funds to assist the development of six single family homes for very low income households by Habitat for Humanity for San Luis Obispo County.

Motion passed by the following unanimous roll call vote:

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

**7. Cuesta College Trades and Technology Center**

J. App, City Manager

For the City Council and Redevelopment Agency to consider amending a 1999 Agreement with Cuesta College allocating use of Redevelopment Agency property tax increment pass-through funds to include off-site sewer and water lines, and street improvements, for the proposed Trades and Technology Center.

Chairman Hamon opened the public discussion. Speaking from the public was Dr. Stork, Terry Reece, Dr. Julian Crocker, Randy Canaday (speaking for Supervisory Mecham), Mike Gibson, and Dee Lacey. There were no other comments from the public, either written or oral, and the public discussion was closed.

**Redevelopment Agency Vote**

Agency Member Strong, seconded by Agency Member Gilman, moved to adopt Resolution No. RA 10-007 approving the draft First Amendment to the Agreement with Cuesta College providing for the allocation of RDA pass-through funds for certain off-site public improvements required in connection with the Cuesta College Trades and Technology Center.

Motion passed by the following roll call vote:

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

**City Council Vote**

Councilmember Hamon, seconded by Councilmember Gilman, moved to adopt Resolution No. 10-149 approving the draft First Amendment to the Agreement with Cuesta College providing for the allocation of RDA pass-through funds for certain off-site public improvements required in connection with the Cuesta College Trades and Technology Center.

Motion passed by the following unanimous roll call vote:

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

**ADJOURN TO CITY COUNCIL MEETING**

**8. Community Development Block Grant (CDBG) Program**

R. Whisenand, Community Development Director

For the City Council to (a) decide which applications for the City's 2011 Community Development Block Grant (CDBG) funds should be recommended in the Draft Annual Action Plan and (b) set a date for the public hearing for the 2011 CDBG Fund allocations.

Mayor Pro Tem Strong opened the public discussion. Speaking from the public was Bernadette Bernardi, Lauren Cross, and Eddie London. There were no other comments from the public, either written or oral, and the public discussion was closed.

Councilmember Gilman, seconded by Councilmember Hamon, moved to identify recommended applications to be listed in the Draft One Year Action Plan; allow the Literacy Council's application to be considered along with the other applications for public service activities; and to set Thursday, March 3, 2011 as the date for the public hearing for 2011 CDBG allocations.

Motion passed by the following roll call vote:

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

**9. Stop Control, 36<sup>th</sup> Street at Oak Street**

D. Monn, Public Works Director

For the City Council to consider placing stop sign control on 36th Street at Oak Street consistent with the recommendations of a traffic engineer and the California Manual of Uniform Traffic Control Devices (MUTCD).

Mayor Pro Tem Strong opened the public discussion. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Hamon, seconded by Councilmember Gilman, moved to authorize the Director of Public Works to place stop signs on 36<sup>th</sup> Street at Oak Street.

Motion passed by the following roll call vote:

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

**10. Landfill Master Plan**

D. Monn, Public Works Director

For the City Council to consider adopting the "Master Plan of Sustainable Opportunities at the Paso Robles Landfill", which addresses such topics as increased recycling, extending the life of landfill and generation of power from methane gases.

Mayor Pro Tem Strong opened the public discussion. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Hamon, seconded by Councilmember Steinbeck, moved to adopt Resoution No. 10-152 authorizing adoption of the "Master Plan of Sustainable Opportunities at the Paso Robles Landfill".

Motion passed by the following roll call vote:

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

**11. Solid Waste Audit**

D. Monn, Public Works Director

For the City Council to consider audits of solid waste hauler and landfill operator contracts.

Mayor Pro Tem Strong opened the public discussion. Speaking from the public was Dale Gomer of Paso Robles Waste and John Weiss of Pacific Waste Services. There were no other comments from the public, either written or oral, and the public discussion was closed.

Councilmember Gilman, seconded by Councilmember Steinbeck, moved to adopt Resolution No. 10-150 appropriating \$97,000 from the General Fund to prepare the landfill audits and authorizing the City Manager to enter into contractual arrangements with R3 Consulting Group and TJ Cross Engineers not to exceed that amount.

Motion passed by the following roll call vote:

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

**12. Sewer Service from TCSD in City Sphere of Influence**

R. Whisenand, Community Development Director

For the City Council to consider a request to enter into an agreement between the City, Cal Fire and the Templeton Community Services District for sewer service within the City's Sphere of Influence.

Mayor Pro Tem Strong opened the public discussion. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Hamon, seconded by Councilmember Steinbeck, moved to authorize the Mayor to enter into an agreement with Cal Fire and TCSD to allow for sewer service by TCSD to their facility at 2510 Ramada Drive, Paso Robles.

Motion passed by the following roll call vote:

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

**13. Water Treatment Plant**

D. Monn, Public Works Director

For the City Council to consider a contract to design a surface water treatment plant.

Mayor Pro Tem Strong opened the public discussion. Speaking from the public was Carl Hansen. There were no other comments from the public, either written or oral, and the public discussion was closed.

Councilmember Gilman, seconded by Councilmember Steinbeck, moved to Adopt Resolution No. 10-151 authorizing the City Manager to enter into a contract with AECOM in the amount of \$921,486, plus contingency to provide professional engineering design services associated with the design of the 4-MGD treatment facility.

Motion passed by the following roll call vote:

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

**14. Citizens Transportation Advisory Committee – Make Committee Appointment or Schedule Date for Applicant Interview**

M. Williamson, Assistant City Manager

For the City Council to determine the preferred course of action to fill one vacancy on the County's Citizen Transportation Advisory Committee.

Mayor Pro Tem Strong opened the public discussion. Speaking from the public was Lee Wilson. There were no other comments from the public, either written or oral, and the public discussion was closed.

Councilmember Hamon, seconded by Councilmember Steinbeck, moved to appoint Lee Wilson to the Citizens Transportation Advisory Committee for an indeterminate term.

Motion passed by the following roll call vote:

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

**15. Schedule Dates for Applicant Interviews/Appointments for Planning Commission Vacancies**

R. Whisenand, Community Development Director

For the City Council to consider setting a date for interviews of candidates for filling vacancies on the Planning Commission.

Mayor Pro Tem Strong opened the public discussion. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Hamon, seconded by Councilmember Steinbeck, moved to set Thursday, December 16, 2010 at 7:00 PM as the date and time for interviewing applicants and making appointments to the Planning Commission.

Motion passed by the following roll call vote:

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

**COUNCIL COMMENTS – None**

**Regular Meeting Adjournment at 9:30pm.**

**CLOSED SESSION ITEMS**

**a. Real Property Negotiation**

Government Code Section 54956.8

Property: 4990 and 4900 Wing Way

Parties: Property Owner: City of Paso Robles

City Negotiator: James L. App, City Manager

Negotiator/Lessees: a) Sinton Helicopters

b) Aviation Consultants Inc.

c) Optimal Aviation Services, LLC

Under Negotiation: Terms and Conditions – Airport FBO Lease

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

Government Code Section 54956.9(a)

i. John Borst et al. v City of Paso Robles - San Luis Obispo Superior Court Case No. CV 10-8193

ii. Russell Peterson et al. v. City of Paso Robles - U.S. Dist. Court, (Central Dist.) - Case No. CV 10-1705-PA (MANx)

**ADJOURNMENT to:**

- WASTEWATER WORKSHOP AT OAK CREEK COMMONS, 635 NICKLAUS DRIVE, PASO ROBLES. NOVEMBER 17, 2010 AT 7:00 PM.
- JOINT CITY COUNCIL/PLANNING COMMISSION BREAKFAST ON FRIDAY, NOVEMBER 19, 2010. 7:00 AM AT TOUCH OF PASO, 1414 PINE STREET, PASO ROBLES.
- THE REGULAR MEETING- 7:30 PM ON TUESDAY, DECEMBER 7, 2010 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.

Submitted by:

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Caryn Jackson, Deputy City Clerk  
Approved: December 7, 2010

**ADJOURNMENT to:**

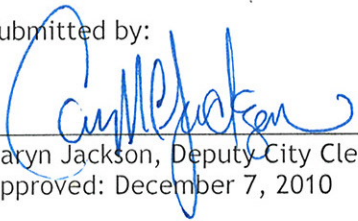
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