



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, July 5, 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

- **Pat Sheehan, Vince Vanderlip, and Art Pelino** thanked all involved in the 4th of July fireworks display.
- **Karl Hansen** spoke in opposition to the fireworks because of safety concerns.
- **Councilman Hamon** spoke about his trip to Poland.

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.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

- **Item 2** was deferred

PRESENTATIONS - None

PUBLIC HEARINGS

1. [Appeal of Conditional Use Permit 11-002 \(Smith\)](#)

E. Gallagher, Community Development Director

For the City Council to consider an appeal of the Planning Commission's decision to deny Conditional Use Permit 11-002, proposing to establish a used car sales lot on the site located at 201 Spring Street.

Mayor Picanco opened the public hearing. Speaking from the public was Ian Smith, Vince Vanderlip, and Kathy Barnett. There were no other comments from the public, either written or oral, and the public hearing was closed.

Councilman Hamon, seconded by Councilman Steinbeck moved to adopt [Resolution No. 11-091](#) to deny Conditional Use Permit 11-002 based on the proposal's inconsistency with the General Plan, the Gateway Plan, and the Uptown/Town Centre Specific Plan policies, subject to revising the 10th recital in the draft resolution to read: "WHEREAS, this application is exempt from environmental review per Section 21080(b)(5) of the California Environmental Quality Act; and".

Motion passed by the following roll call vote:

AYES: Hamon, Steinbeck, Gilman, Strong

NOES: Picanco

ABSTAIN:

ABSENT:

2. [Hearing and Adoption of Paso Robles Basin Groundwater Management Plan \(AB 3030\)](#)

D. Monn, Public Works Director

Item deferred; no action taken.

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 June 21, 2011](#)

D. Fansler, City Clerk

4. [Approve Warrant Register No.97876-98018 \(6/17/11\), 98019-98141 \(6/24/11\), and other payroll services.](#)

J. Throop, Administrative Services Director

5. [Approve Advisory Body Minutes](#)

Promotions Coordinating Committee Minutes from Tuesday, March 8, 2011

6. [Adopt resolution 11-092 approving the Cooperative Transit Agreement between the City of Paso Robles, the City of Atascadero, the San Luis Obispo Regional Transit Authority, and North County Cuesta College \(Cuesta\).](#) | [View Resolution 11-092](#)

J. Throop, Administrative Services Director

7. [Adopt Resolution No. 11-093 approving an application for Statewide Park Program Grant Funds in the potential amount of \\$2,225,000 to construct a public park in the Housing Authority Oak Park development, and authorize the Mayor to sign a Letter of Intent to enter into a ground lease and sublease with the California Department of Parks and Recreation.](#) | [View Resolution 11-093](#)

J. Dahlen, Interim Library and Recreation Services Director

Consent Calendar items 3-7 were approved on a single motion by Councilman Strong and seconded by Councilman Gilman.

Motion passed by the following roll call vote:

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

DISCUSSION

ADJOURN TO REDEVELOPMENT AGENCY

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

8. [Oak Park Redevelopment: Request for a Reservation of Low and Moderate Income Housing Funds to Assist This Project](#)

E. Gallagher, Community Development Director

For the Redevelopment Agency and City Council to consider the following requests for financial assistance from Low and Moderate Income Housing (LMIH) Funds to assist the Development of Phase One of the Redevelopment of Oak Park Public Housing (the "Project").

Chairman Nick Gilman opened the public hearing. Speaking from the public was Ken Trigueiro from the Housing Authority, and Karl Hansen. There were no other comments from the public, either written or oral, and the public hearing was closed.

Agency member Steinbeck seconded by Agency member Strong moved to adopt [RDA Resolution 11-005](#) to reserve LMIH Funds.

Motion passed by the following roll call vote:

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

ADJOURN TO CITY COUNCIL MEETING

By minute action, Councilman Strong, seconded by Councilman Hamon moved to direct the preparation of a Fee Deferral Agreement for consideration in conjunction with a future Participation Agreement as described in Resolution RA 11-005.

Motion passed by the following Voice vote:

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

9. [Decorative Street Light Options and Night Lighting](#)

D. Monn, Public Works Director

For the City Council to provide staff with direction regarding exterior decorative lighting standards.

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

Councilman Steinbeck, seconded by Councilman Hamon, moved to reaffirm the existing decorative lighting standard using the PG&E supplied fixtures.

Motion passed by the following roll call vote:

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

10. [Ice Cream Vendor Permits](#)

J. Throop, Director of Administrative Services

For the City Council to consider a permit for Rebecca's Ice Cream Truck to conduct business within the City of Paso Robles.

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

Councilman Hamon, seconded by Councilman Gilman moved to adopt [Resolution No.11-094](#) approving the issuance of a permit to Rebecca's Ice Cream for sales from mobile ice cream trucks subject to certain conditions.

Motion passed by the following roll call vote:

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

11. [Public Restroom Nightly Closing](#)

D. Monn, Public Works Director

For the City Council to consider outsourcing nightly closing of Park restrooms.

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

Councilman Strong, seconded by Councilman Hamon moved to adopt [Resolution No. 11-095](#) awarding a contract to Modesto's Cleaning and Handyman Service for the nightly closure of City parks restrooms.

Motion passed by the following roll call vote:

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

CITY MANAGER

- [League of California Cities Designation of Voting Delegates and Alternates](#)

Councilman Strong was appointed by voice vote. Mayor Picanco was appointed as alternate.

COUNCIL COMMENTS (Including oral reports on conferences attended)

- Councilman Strong wanted to discuss the possible acquisition of the Paso Robles Golf Course/Country Club and wants staff to investigate. Other Councilmen did not agree.

CLOSED SESSION ITEMS

- **Conference with Legal Counsel**
Initiation of Litigation Pursuant to Subdivision (c) of
Government Code Section 54956.9 (1)

City Council unanimously authorized filing litigation against MCM Construction and Lee Wilson Electric for Niblick Bridge construction defects.

- **Meet & Confer**
Conference with Labor Negotiator
Government Code Section 54957
City Negotiator: James App, City Manager
Employee Organization: Service Employees International Union (SEIU)
Police Officers Association (P.O.A.)
Fire (I.A.F.F.)
Non-represented Management

No reportable action.

ADJOURNMENT AT 8:52PM TO:

- PLANNING COMMISSION MEETING - 7:30 PM ON TUESDAY, JULY 12, 2011 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- PLANNING COMMISSION/CITY COUNCIL BREAKFAST – 7:00 AM ON FRIDAY, JULY 15, 2011 AT TOUCH OF PASO RESTAURANT.
- REGULAR CITY COUNCIL MEETING - 7:30 PM ON TUESDAY, JULY 19, 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.

Submitted by:

Caryn Jackson, Deputy City Clerk
Approved: July 19, 2011

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