



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"



CITY COUNCIL MINUTES

Tuesday, August 5, 2014

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 – Pat Sheean

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.

- Cindy Steinbeck spoke about her family and legal actions related to same.

AGENDA ITEMS TO BE DEFERRED

- City Manager Jim App requested that Item 19 be continued to the August 19, 2014 City Council meeting.
- City Manager Jim App announced that Item 4 on the consent agenda was corrected with an addendum.

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 July 8 and July 15, 2014](#)
D. Fansler, City Clerk
2. [Approve Warrant Registers 1609-1773 \(7/11/14\), 1774-1871 \(7/18/14\), 1872-2014 \(7/25/14\), and other payroll Services](#)
J. Throop, Director of Administrative Services
3. [Advisory Body Minutes](#)
Airport Advisory Committee (April 24, 2014)
Travel Paso Robles Alliance (May 27, 2014)
Parks and Recreation Advisory Committee (June 9, 2014)
Senior Citizen Advisory Committee (June 9, 2014)
Library Board of Trustees (June 12, 2014)
Travel Paso Robles Alliance (June 24, 2014)

4. [Adopt Resolution 14-105 approving the updated Title VI Plan in order to qualify for the 5339 funds to reimburse the City for completed Transit Center Improvements.](#)
J. Throop, Administrative Services Director
5. [Adopt Resolution 14-106 appropriating \\$35,000 for electronic archiving of building plans and documents for fiscal year 2015.](#)
D. Monn, Public Works Director
6. [Adopt Resolution 14-107 awarding a contract for Citywide Street Sweeping in the amount of \\$63,251 from General Fund Reserves to Budget No. 1003301-52210, and authorizing the City Manager to execute the contract with SP Maintenance Services to provide one year of services in accordance with the bid documents issued for the work.](#)
D. Monn, Public Works Director
7. [Accept the recommendation of the Travel Paso Robles Alliance \(TPRA\) for appointment of Brittany Tonkin to a vacant TPRA Advisory member seat for a partial remainder term through October 31, 2014.](#)
M. Williamson, Assistant City Manager
8. [Approve Resolution 14-108 appropriating \\$15,000, from the Building Education Reserve Fund 114, to cover the cost of education of Building Personnel for fiscal year 2015.](#)
D. Monn, Public Works Director
9. **Pulled for discussion at the end of the regular meeting.**
10. [Adopt Resolution 14-109 approving City Manager Salary Adjustment pursuant to Employment Contract.](#)

Councilman Hamon requested item 9 be pulled for discussion at the end of the regular meeting.

Mayor Picanco voiced a no vote on item 10.

Councilman Martin abstained on Consent Agenda item 2 "Warrant Register", check numbers 1715 and 1969.

Consent Calendar items 1 through 8 and item 10 were approved on a single motion by Councilman Strong and seconded by Councilman Steinbeck.

Motion passed by the following roll call vote:

AYES: Strong, Steinbeck, Martin, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT:

DISCUSSION

11. [North County \(a.k.a., Paso Robles\) Groundwater Basin Management District](#)

J. App, City Manager

For City Council to consider supporting formation of a locally managed water district, and in parallel, a Joint Powers Authority covering a portion of the North County (a.k.a., Paso Robles) Groundwater Basin.

Mayor Picanco opened the public discussion. Speaking from the public were Frank Mecham (1st District Supervisor), Laurie Gage, Sue Luft, Jerry Reaugh, Julie McCloskey, Cindy Steinbeck, Robert Brown, Dana Merrill, Gwen Pelfrey, Larry Werner and Sheila Healy. There were no other 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 14-110 in support of the following:

- An amended version of AB 2453 that is fully consistent with pending statewide legislation regarding sustainable groundwater management, and that would authorize a newly formed California Water District to exercise all powers within its territory that are provided under new statewide groundwater management laws; and
- Action by local property owners to form such a district; and

- Developing a Basin Management Joint Powers Authority with the County and, if formed, a new California Water District, to carry out a new sustainable groundwater management plan for the North County (a.k.a., Paso Robles) Groundwater Basin in accordance with applicable state law;

Motion passed by the following roll call vote:

AYES: Strong, Martin, Hamon, Picanco
 NOES:
 ABSTAIN:
 ABSENT: Steinbeck (recused himself due to a stated a conflict of interest)

12. Mobile Dispensaries – Update

J. Throop, Administrative Services Director

For the City Council either to permit staff to process business license request for mobile medical marijuana dispensaries, or to consider ban on such dispensaries.

Mayor Picanco opened the public discussion. Speaking from the public were:

- | | |
|----------------------------|-----------------------------|
| • Ron Pellegrino | • Stephanie Keel |
| • Rob (last name withheld) | • Bradford Peters |
| • Bradford Peters | • Stephen Dahl |
| • James Burger | • Stephen Villa |
| • Kris Finninin | • Adam Quaglino |
| • Atascadero Resident | • Fred (last name withheld) |
| • Madelyn Lorr | • Cari Henry |
| • Earnest Hall | • Darlene Stevens |
| • Melissa Chaney | • Brian Eddy |
| • Tom Quinn | • Jon Wells |
| • Toni Paradis | |

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

A motion was made by Councilman Strong, seconded by Councilman Martin to receive and file the staff report.

Motion passed by the following roll call vote:

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

13. Riverside Avenue Bike Lanes, 13th to 17th Streets

D. Monn, Public Works Director

For the City Council to consider placing bike lanes on Riverside Avenue from 13th to 17th Streets.

Mayor Picanco opened the public discussion. Speaking from the public were Milton Culver, Kathryn Banister, Mike Movee, Steve Noone, Bill Haas, Steve Fleury, Dan Reviroire, and Larry Werner. 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 authorize installation of typical Class II bike lanes on Riverside Avenue from 13th Street to 17th Street.

Motion passed by the following roll call vote:

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

14. Building Plan Review Options

D. Monn, Public Works Director

For the City Council to consider a plan to rebuild building permit review process capacity.

Mayor Picanco opened the public discussion. Speaking from the public were Vince Vanderlip, Bruce White, and Keith Belmont. There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Hamon and seconded by Councilman Martin to adopt Resolution 14-111 authorizing the proposed staff additions, reclassifications, hourly rate, and deposit schedule. Council also directed staff to organize a workshop of industry professionals to explore other ideas to improve building plan check processes.

Motion passed by the following roll call vote:

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

15. Buena Vista Improvements along Cuesta College Frontage

D. Monn, Public Works Director

For City Council to consider allocating funds to improve Buena Vista along Cuesta College frontage (DPW No. 14-04).

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 Steinbeck, seconded by Councilman Hamon to adopt Resolution 14-112 to allocate \$250,000 to Budget No. 2139101-54520-C0043 with the funding source from Fund 213, Traffic Impact Fees, and to authorize the City Manager to engage the services of North Coast Engineering in a not-to-exceed amount of \$8,210.

Motion passed by the following roll call vote:

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

16. Monitoring of Pickleball Facility at Centennial Park

J. Dahlen, Library and Recreation Services Director

For the City Council to consider options for monitoring the use of Pickleball (PB) Courts at Centennial Park.

Mayor Picanco opened the public discussion. Speaking from the public were Jack Hodges, Doug Bates, Steve Sidwell, Ron Edmunson, Dianne Ward, Marty Cochran, Curtis Martinson, Bret Noel, Bonnie Sidwell, Tom (last name unknown), and Steve Macabee. 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 directing staff to remove original Paso Robles Pickleball user group agreement language and work with the Pickleball group to formulate and institute a locking system, as stated by Councilman Hamon.

Motion passed by the following roll call vote:

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

17. OTR 14-006 - Request To Remove One Oak Tree At 1035 Par Avenue (Bice)

E. Gallagher, Community Development Director

For the City Council to consider a request by Ms. Dorothy Bice, to remove one oak tree on her property.

Mayor Picanco opened the public discussion. Speaking from the public was Charles Scovall. There were no other 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 14-113 approving OTR 14-006, allowing the removal of one 23-inch diameter Valley Oak Tree based on the tree being a nuisance to the property owner, and require four (4) 1.5-inch diameter Valley Oak replacement trees to be planted at the direction of the Arborist, or payments made to the City's oak tree replacement fund.

Motion passed by the following roll call vote:

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

18. OTR 14-007 – Request Waiver of Fees for Oak Tree Removal – 1721 Filbert Street (Matta)

E. Gallagher, Community Development Director

For the City Council to consider a request filed by Henry Curtis of Whit's Turn Tree Care, on behalf of Bart Matta, to waive the \$200 application fee for an emergency oak tree removal.

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

Motion by Councilman Martin, seconded by Councilman Hamon to approve the waiver of the \$200 deposit for the staff level oak tree removal, based on the tree being dead or diseased beyond correction and based on the Arborist professional opinion that the trees decline was not the fault of the property owner.

Motion passed failed by the following roll call vote:

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

19. Annual Review of Investment Policy

Mike Compton, City Treasurer

For the City Council to undertake its' annual review of the City's Investment Policy.

This item was deferred to the August 19, 2014, City Council meeting.

20. Climate Action Plan – Implementation Assistance

E. Gallagher, Community Development Director

For the City Council to consider the use of resources available at no expense to the City to develop a tracking program on implementation of the City's adopted Climate Action Plan.

This item was deferred to the August 19, 2014, City Council meeting.

21. Aviation Consultants, Inc. (ACI) Lease Amendment - Restaurant Space

M. Williamson, Assistant City Manager

For the City Council to authorize the terms for an amendment to the existing Fixed Base Operator (FBO) services lease with Aviation Consultants, Inc. (ACI) to include restaurant space and operations within the Airport Terminal.

Mayor Picanco opened the public discussion. Speaking from the public was Bill Borksmiller. 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 Steinbeck to adopt Resolution 14-114 authorizing the following:

- 1) City Manager to enter into an amended Lease and Concession Agreement with Aviation Consultants, Inc. (ACI) for the 1,780 s.f. restaurant space within the Airport Terminal, incorporating the business terms stated in the staff report (to be drafted and approved by the City Attorney); and
- 2) Setting a combined lease rate of \$10,744 for the existing FBO lease area(s) and restaurant space to be subject to escalations as provided for in the current FBO lease agreement.

Motion passed by the following roll call vote:

AYES: Hamon, Steinbeck, Martin, Strong, Picanco

NOES:

ABSTAIN:

ABSENT:

22. Lease Approval for Transit Center

J. Throop, Administrative Services Director

For the City Council to consider approval of a lease agreement for the San Luis Obispo Regional Transit Authority (SLORTA) for the city-owned structure at 800 Pine Street and nearby parking area.

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 14-115 approving the lease agreement, and authorizing the City Manager to execute the Agreement.

Motion passed by the following roll call vote:

AYES: Strong, Martin, Steinbeck, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT:

23. Executive Search – Public Works Director

J. App, City Manager

For the City Council to engage outside assistance to conduct a State-wide search for Director of Public Works.

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 Steinbeck to authorize the City Manager to Execute a Contract with Avery & Associates for Executive Search Services, and approved the Budget Adjustment Request to appropriate funds from General Fund Reserves in the amount of \$19,400.

Motion passed by the following roll call vote:

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

24. Utility Billing Software Upgrade

J. Throop, Administrative Services Director

For the City Council to consider allocating Water Enterprise funds to purchase an additional software module for the utility billing system.

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, seconded by Councilman Martin to adopt Resolution 14-116 approving the appropriation of \$45,381 from the Water Fund (600-10010) for the purchase of the mCARE software and related hardware equipment, as shown in attachment A of the resolution.

Motion passed by the following roll call vote:

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

ITEMS PULLED FROM THE CONSENT AGENDA

9. Adopt Resolution No. 14-117 awarding a contract to repair a portion of Spring Street, from 16th Street to 24th Street, to Ferravanti Paving & Grading in the amount of \$1,114,299.99, and authorizing the City Manager to execute the contract.

D. Monn, Public Works Director

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 Hamon, seconded by Councilman Steinbeck to adopt the resolution.

Motion passed by the following roll call vote:

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

COUNCIL BUSINESS – None

A motion was made by Councilman Martin, seconded by Councilman Steinbeck to adjourn regular meeting.

Motion passed by the following VOICE vote:

AYES: Martin, Steinbeck, Strong, Hamon, Picanco

ADJOURNMENT AT 12:23 AM August 6, 2014 to closed session:

- **Conference with Legal Counsel – Existing Litigation**
Pursuant to subsection (d)(1) of Government Code section 54956.9
City of El Paso de Robles v. Quorum Realty Fund IV, et al.,
San Luis Obispo Superior Court Case No. 14CVP-0125

- **Conference with Legal Counsel – Existing Litigation**

Pursuant to subsection (d)(1) of Government Code section 54956.9

Quorum Realty Fund IV LLC v. City of El Paso de Robles, et al.,
San Luis Obispo County Superior Court Case No. 14CVP-0174

No reportable action.

ADJOURNMENT AT 12:50 AM August 6, 2014 to:

- PLANNING COMMISSION REGULAR MEETING - 7:30PM ON TUESDAY, AUGUST 12, 2014 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES
- CITY COUNCIL/PLANNING COMMISSION BREAKFAST – 7:00AM ON FRIDAY, AUGUST 15, 2014, AT TOUCH OF PASO RESTAURANT
- REGULAR CITY COUNCIL MEETING – 7:30PM ON TUESDAY, AUGUST 19, 2014 IN THE LIBRARY/CITY HALL CONFERENCE ROOM, 1000 SPRING STREET

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.