



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES



Tuesday, October 21, 2014

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 Gus Bess

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.

- Steve Fleury spoke about possible placement of bike-friendly signs around the City.
- Lt. Colonel Gregory Arenas, Deputy Director of Operations from Camp Roberts, gave updates on the National Guard's activities.
- Peter Williamson with SLO Regional Rideshare spoke about Rideshare Month (October).
- Louisa Santiago and Adam Greenley from the Youth Commission spoke about their activities.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

PRESENTATIONS - None

PUBLIC HEARING - 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 7, 2014](#)
D. Fansler, City Clerk
2. [Approve Warrant Registers 2911-3010 \(9/26/14\), 3011-3188 \(10/03/14\), 3189-3329 \(10/10/14\) and other payroll Services](#)
J. Throop, Director of Administrative Services
3. [Advisory Body Minutes](#)
Youth Commission (September 3, 2014)
Senior Advisory Committee (September 8, 2014)
Parks and Recreation Advisory Committee (September 8, 2014)
Library Board of Trustees (September 11, 2014)

4. [Adopt Resolution No. 14-140 approving the Agreement for Payment of Road Mitigation Fee provided by Viborg Sand and Gravel, Inc.](#)
D. Monn, Public Works Director
5. [Read, by title only, and adopt Ordinance 1007 N.S. approving Zoning Code Amendment 14-004.](#)
6. [Read, by title only, and adopt Ordinance 1008 N.S. approving Specific Plan Amendment 14-001 \(Uptown/Town Centre Specific Plan\).](#)
7. [Read, by title only, and adopt Ordinance 1009 N.S. adding Chapter 2.58 to the Municipal code authorizing the Chief of Police to deputize or appoint classes of reserve police officers to help maintain the safety of its residents.](#)

Consent Calendar items 1 through 7 were approved on a single motion by Councilman Strong and seconded by Councilman Hamon.

Motion passed by the following roll call vote:

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

DISCUSSION

8. [Inclusion of Paso Robles Lodging Establishments within San Luis Obispo County Tourism Marketing District \(SLOCTMD\)](#)
M. Williamson, Assistant City Manager

For the City Council to consider authorizing the San Luis Obispo County Board of Supervisors to establish a countywide Tourism Marketing District that includes lodging properties within the City of Paso Robles.

Stacie Jacob from the Visit San Luis Obispo County non-profit organization gave a presentation. Mayor Picanco opened the public discussion. Speaking from the public were Chuck Davison, who gave an overview of the TMD initiative, Noreen Martin, and 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 Strong to adopt Resolution No.14-141 consenting to the inclusion of Paso Robles within the San Luis Obispo County Tourism Marketing District (SLOCTMD).

Motion passed by the following roll call vote:

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

9. [Fire Hazard Abatement – Landscape and Lighting Maintenance District Zone 10, Sub Areas 72A, B, C, D](#)
D. Monn, Public Works Director

For City Council to consider the cost of fire hazard abatement in Landscape and Lighting District Zone 10, Sub Areas 72A, B, C and D.

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

- Steve Raith (gave a Powerpoint presentation)
- Perry Destro
- Linda Anderson
- Laurie Foster
- Samer Muhamed
- Al Neas

Correspondence from Cory and Sheryl Cave, Jennifer Tourkin, and Nan Moss was received by the City Clerk's office prior to the meeting and was entered into the record (attached hereto). 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 Hamon to approve an allocation of \$20,215.00 from General Fund Reserves to cover the cost of fire hazard abatement.

Motion passed by the following roll call vote:

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

9:19 BREAK

9:23 RECONVENE MEETING

10. [Replacement of Sewer Video Inspection System](#)

D. Monn, Public Works Director

For the City Council to consider purchase of a replacement sewer video inspection 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 Martin and seconded by Councilman Strong to adopt Resolution 14-142 to allocate \$83,020 of Sewer Enterprise Funds for purchase of the Envirosight Rovver X sewer inspection tractor and camera, and \$12,720 of Sewer Enterprise Funds for purchase of IT pipes video inspection management software.

Motion passed by the following roll call vote:

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

COUNCIL BUSINESS

11. [National League of Cities](#)

J. App, City Manager

For the City Council to consider membership in the National League of Cities (NLC).

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 Steinbeck and seconded by Councilman Hamon to reject the proposal.

Motion passed by the following roll call vote:

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

12. Councilmember Fred Strong: "Amtrak Served Community" Signs

A motion was made by Councilman Hamon and seconded by Councilman Strong to accept Staff's recommendation for placement of the free Amtrak signs. Motion was passed by a unanimous voice vote.

COUNCIL COMMENTS

- Councilman Hamon suggested the Bicycle-Friendly City sign placement be brought back to a future meeting. Council agreed.
- Councilman Hamon suggested Staff bring a report back to Council regarding opening Centennial pool for the 2015 Season (proposed operational costs). Councilman Martin suggested repairs to the Centennial Park building also be put on a future agenda. Council agreed.

THE REGULAR MEETING WAS ADJOURNED TO CLOSED SESSION AT 9:46PM.

CLOSED SESSION

- **Conference with Legal Counsel
Existing Litigation (two cases)**
Gov. Code section 54956.9 (d)(1):
 1. City of El Paso de Robles v. Quorum Realty Fund, et al, San Luis Obispo Superior Court Case No. 14CVP0125
 2. Quorum Realty Fund IV, LLC v. City of El Paso de Robles, San Luis Obispo Superior Court Case No. 14CVP0174

- **Conference with Legal Counsel
Significant exposure to litigation (one case)**
Gov. Code section 54956.9(d)(2)

- **Conference with Real Property Negotiators**
Gov. Code section 54956.8

Property: 4th and Pine Streets

City Negotiator: Meg Williamson
Party: Jim Saunders

Under Negotiation: Price and terms of payment

Property: Pioneer Museum, 2010 Riverside Avenue

City Negotiator: Meg Williamson
Party: Paso Robles Museum Foundation

Under Negotiation: Price and terms of payment

- **Meet and Confer Conference with Labor Negotiator**
Government Code Section 54957

City Negotiator: Meg Williamson, Assistant City Manager
William Avery & Avery Associates

Employee
Organizations: Service Employees International Union (SEIU)
International Association of Firefighters (IAFF)
Police Officers Association (POA)
Unrepresented Management / Part-time Employees

No reportable action.

ADJOURNMENT AT 11:18PM TO:

- PLANNING COMMISSION REGULAR MEETING - 7:30PM ON TUESDAY, OCTOBER 28, 2014 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES
- REGULAR CITY COUNCIL MEETING – 7:30PM ON TUESDAY, NOVEMBER 4, 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.**

10/21/14
Item #9

Mr. Mayor and members of the City Council -

I need to note a few items for the Record related to this Agenda item.

The following Correspondence was received by the City Clerk's office via Email & distributed to City Council members electronically prior to this meeting ~ also, hard copies of this same correspondence was provided tonight on your dais.

Email dated October 19, 2014
Cory and Sheryl Cave
983 Vista Cerro Drive

Email dated October 20, 2014
Jennifer Tourkin
948 Salida de Sol Drive

Email dated October 20, 2014 (w/2 photos)
Nan Moss
935 Salida de Sol Drive

This noted correspondence will be part of tonight's meeting record.

Caryn Jackson

From: Sheryl Cave <sherylcave@yahoo.com>
Sent: Sunday, October 19, 2014 2:32 PM
To: City Clerk
Subject: City Council Meeting, October 21, 2014, Agenda Item #9

To whom it may concern:

We are homeowners at 983 Vista Cerro Drive, Paso Robles and we have lived in the Del Oro development since September 22, 2006.

We are unable to attend the meeting on Tuesday evening due to scheduling conflicts however, we would like to express our concerns regarding the maintenance issues going on with our subdivision.

It has come to our attention that the City is planning on charging the homeowners additional fees in order to cover damage and fire hazards that have developed due to the poor maintenance and supervision of the City to oversee Martinelli's landscape and maintenance operation at the subdivision. The "green" space has now been designated a fire hazard by our city's Fire Chief. The reason for these conditions is the inability of the City to keep these areas green thereby creating dry, hazardous conditions. For the City to pass along these fees to the homeowners is ludicrous since it is the City's lack of supervision and follow up that allowed for these conditions to develop in the first place. The City needs to take responsibility for their part in this debacle. There has been so much waste from water to the amount of weed abatement that needs to be done and this truly falls on the City. We are charged \$1,225.72 every year for the maintenance of the grounds, lighting, fixtures, etc. surrounding this development. Why is it such a shambles? With an annual budget of \$214,501, the City should be able to maintain our development to the standards by which this development was established. We would like to go on record, please read and enter our concerns into the record for Tuesday's meeting.

Extremely concerned,
Cory and Sheryl Cave

Caryn Jackson

From: Jennifer Tourkin <jennifer@upstairsmarketing.com>
Sent: Monday, October 20, 2014 4:33 PM
To: City Clerk
Subject: City Council Meeting, 10/21, Agenda Item #9

Please consider this letter when agenda item #9, *Abatement of Fire Hazard* comes up for discussion. Thank you for your consideration.

Dear City Council Members,

It has come to my attention that the city plans to charge homeowners in our area to clean up a fire hazard that was caused by the city's lack of maintenance. If the area is a fire hazard, I certainly support it being immediately cleaned up.

BUT, if the weed abatement was the city's responsibility, and I believe the homeowners in the is area pay the city quite a bit for this service, then the city should take responsibility for rectifying the situation. I can't see how homeowners should be responsible for a situation over which they had no control, and for which they were paying to avoid.

Thank you.

Jennifer Tourkin
948 Salida del Sol Drive
Paso Robles

Caryn Jackson

Subject: FW: City Council meeting 10/21/14

From: Nan Moss [<mailto:nmoss@moss-hill.com>]

Sent: Monday, October 20, 2014 9:13 AM

To: City Clerk

Subject: City Council meeting 10/21/14

This is regarding issue number 9 on the October 21, 2014 City Council agenda. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES CONFIRMING COST RESPONSIBILITY FOR FIRE HAZARD ABATEMENT – PASO ROBLES LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT ZONE 10, SUB AREAS 72A, B, C, D

I am unable to attend the City Council Meeting because I am traveling but want to express my concerns about the Landscape and Lighting District issues and proposed Resolution.

My husband John and I are homeowners who reside at [935 Salida del Sol Drive](#). We do not believe homeowners are responsible for the repair and restoration of the hillside and other landscape that is need of attention. The city report states:

"Trees and plant material on the hillside has suffered significantly over the past three drought years from a minimally-designed irrigation system requiring numerous repairs, winter freeze and early extreme heat."

The Irrigation system is the one approved by the city. As taxpayers, we entrust our city officials with the responsibility to manage and inspect plans submitted by developers for the long term benefit of homeowners and residents. If there was a problem with the design of the irrigation system, it should not have been approved by the city. The city should have been providing maintenance and repairs for the irrigation system, as this is a responsibility that is acknowledged in the Landscape and Lighting section of the city's own website.

If the contractor chosen by the city did not provide sufficient services, then the city should have withheld payment. If the city determines it was a contractors negligence that caused any damage, then the city should pursue recovering costs from that business. Improved supervision of landscaping contractors is required. For instance, the current contractor, Martinelli, isn't even repairing easily observable problems such as broken hoses causing damage and dangerous safety conditions on sidewalks. See attached photos.

The city cites winter freezes and extreme heat as reasons for why trees and plant materials have suffered on the hillside. What the city has not acknowledged is that greater additional plant damage has occurred because city staff not only did not provide proper management, maintenance and repair of the irrigation system, but also decided to curtail water on the hillside. While concerned residents tried to work with city staff over a period of several years, they were not responsive and requests for improvement were not acted upon. In fact, Charles Lorenzen, one of the city employees who promised action, not only did not provide it but later faced 3 charges of grand theft related to his work with the City Parks Department. While it is true he pled to a lesser misdemeanor charge, the time and involvement of responsible citizens were wasted. I would hereby like to request an accounting of any and all costs related to Mr. Lorenzen's charges and do not feel that Paso Robles citizens should be responsible for any city employee(s) or contractors involved in needing to give attention or time to the matter of his illegal activities and ensuing personnel issues.

It is an insult to me as a responsible taxpayer and resident of the city of a Paso Robles to see that the City Manager, even before hearing residents who requested to be heard at this meeting, drafted a resolution urging the City Council to vote against what we are here to discuss. We would like to believe that we have a City Council that listens to the citizens of Paso Robles, not one that just simply votes as they are instructed by the city board. Please listen to your constituents.

I strongly believe all should vote no on the proposed Resolution 14.

Thank you.

Nan Moss

935 Salida del Sol Drive

Paso Robles, CA 93446

Sent from my iPhone



**DEL ORO/HACIENDA L&LD
ZONE 10, SUB AREAS 72A, B, C, D**

DISTRICT HOMEOWNERS' OBJECTIVES

- 1. City take responsibility for maintenance issues and all costs associated for abatement of the fire hazard and potential soil erosion issues.**
- 2. Repair District irrigation infrastructure.**
- 3. Replant dead plants and trees at City's expense.**
- 4. Hold District homeowners harmless for potential soil erosion problems related to infrastructure maintenance issues.**