



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES



**Tuesday, November 18, 2014**

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

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### 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

At this time the public may address the Council on items other than those scheduled on the agenda.

- Emily Grim spoke about High School traffic safety concerns.
- Nancy Major spoke about the Library, specifically the Bookplates on November 22<sup>nd</sup>.
- Norma Moye, Downtown Main Street Association, spoke about upcoming Christmas activities downtown.
- Scott Talmage spoke about his business which deals with abandoned shopping carts.
- Kathy Barnett spoke about Loaves and Fishes and asked that Jackie Sebro be recognized for her years of service.

**AGENDA ITEMS TO BE DEFERRED - None**

### PRESENTATIONS

1. [Proclamation - Small Business Saturday \(November 29, 2014\)](#)

Mayor Picanco presented a proclamation to Norma Moye and Mary Ubersax.

### PUBLIC HEARING

2. [General Plan Amendment 14-003  
Conservation & Safety Element Updates](#)

E. Gallagher, Community Development Director

For the City Council to consider General Plan Amendment 14-003, an update to the Conservation & Safety Elements of the Paso Robles General Plan in accordance with AB 162 (2007) and SB 1241 (2012).

The proposed amendments to the Zoning Ordinance collectively would not have a significant effect on the environment and, therefore, are exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the State's Guidelines to Implement CEQA).

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

A motion was made by Councilman Steinbeck and seconded by Councilman Strong to adopt Resolution 14-150 approving General Plan Amendment 14-003.

Motion passed by the following roll call vote:

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

3. **Amendment to Title 9 of Municipal Code (Public Safety) to add Chapter 9.51 –Psychoactive Herbal Incense, Psychoactive Bath Salts and other Synthetic Drugs**

R. Burton, Chief of Police

For the City Council to consider amending Title 9 of the Municipal Code (Public Safety) to add Chapter 9.51 - Psychoactive Herbal Incense, Psychoactive Bath Salts and other Synthetic Drugs.

Mayor Picanco opened the public hearing. Speaking from the public was Dale Gustin. There were no other comments, either written or oral, and the public hearing was closed.

A motion was made by Councilman Martin and seconded by Councilman Hamon to introduce for the first reading an Ordinance to amend Title 9 of the Paso Robles Municipal Code adding Chapter 9.51 to address and regulate Psychoactive Herbal Incense, Psychoactive Bath Salts and other Synthetic Drugs; and set December 2, 2014, for adoption of said ordinance.

Motion passed by the following roll call vote:

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

4. **Code Amendment – Fortunetelling, Psychics, Related Services**

J. Throop, Administrative Services Director

For the City Council to consider adopting amendments to the Business License Code.

Mayor Picanco opened the public hearing. Speaking from the public Mary Ubersax and Gigi Robitowski. There were no other comments, either written or oral, and the public hearing was closed.

Motion by Councilman Strong, seconded by Councilman Hamon to introduce for the first reading an Ordinance amending the Paso Robles Municipal Code requiring fortunetelling and other related services to be subject to the same business license requirements as other special service businesses; and set December 2, 2014, for adoption of said ordinance.

Motion passed by the following roll call vote:

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

5. **Code Amendment 14-007 (Home Occupation Regulations Update)**

E. Gallagher, Community Development Director

For the City Council to consider an update to the home occupation regulations (Section 21.23.070), to implement AB 1616 (2012), which addresses “cottage foods operations” and to consider extending certain provisions allowed by AB 1616 to home occupations other than cottage food operations.

The proposed amendments to the Zoning Ordinance collectively would not have a significant effect on the environment and, therefore, are exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the State’s Guidelines to Implement CEQA).

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

Motion by Councilman Strong, seconded by Councilman Steinbeck to introduce for first reading an Ordinance Amending Home Occupation Regulations, and set December 2, 2014 as the date of adoption of said ordinance.

Motion passed by the following roll call vote:

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

**6. [Code Amendment 14-008: Zoning Code Updates for compliance with the Housing Element](#)**

E. Gallagher, Community Development Director

For the City Council to consider adopting amendments to the Zoning Code in order to bring the zoning code into compliance with the recently adopted 2014 Housing Element.

The proposed amendments to the Zoning Ordinance collectively would not have a significant effect on the environment and, therefore, are exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the State's Guidelines to Implement CEQA).

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 introduce for first reading an Ordinance amending the Zoning Code in order to bring it into compliance with the recently adopted 2014 Housing Element, and set December 2, 2014, for adoption of said ordinance

Motion passed by the following roll call vote:

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

## **CONSENT CALENDAR**

ITEMS ON THE CONSENT CALENDAR ARE CONSIDERED ROUTINE, NOT REQUIRING SEPARATE DISCUSSION.

**7. [Approve City Council Minutes from November 4, 2014](#)**

D. Fansler, City Clerk

**8. [Approve Warrant Registers 3567-3700 \(10/31/14\), 3701-3806 \(11/07/14\), and other payroll Services](#)**

J. Throop, Director of Administrative Services

**9. [Advisory Body Minutes](#)**

TPRA (September 23, 2014)

TCC/TPRA Joint Meeting (October 16, 2014)

**10. [Approve installing two Bicycle-Friendly Community Signs at the same locations as the recently approved Amtrak signs \(one at the southern end of Spring Street near the intersection at 1st Street, and one at the north end of Spring at 36th Street\).](#)**

E. Gallagher, Community Development Director

**11. [Accept the recommendation of the TPRA for appointment of John Arnold, Margaret Johnson, Brittany Tonkin and Sandra Sage to vacant TPRA Advisory member seats through October 31, 2017.](#)**

M. Williamson, Assistant City Manager

**12. [Adopt Resolution 14-151 declaring certain City property as surplus and authorizing their sale to recyclers, wholesalers or by public auction, bid or sale.](#)**

J. Throop, Administrative Services Director

**13. [\(1\) Adopt Resolution 14-152 annexing Parcels 2, 3 and 4 of Parcel Map PR 03-0338 to CFD No. 2005-1, and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien. \(2\) Adopt Resolution 14-153 accepting the recordation of Parcel Map PR 14-0338, a four-lot residential subdivision located at 2330 Ashwood Place \(Harrod\).](#)**

E. Gallagher, Community Development Director

**14. [\(1\) Adopt Resolution 14-154 authorizing the recordation of the final map for Tract 2805, a 13-lot subdivision located on the westerly extension of Kleck Road. \(2\) Adopt Resolution 14-155 annexation Lots 1 through 12 into Community Facilities District No. 2005-1, and](#)**

**directing the City Clerk to record the Amendment to the Notice of Special Tax Lien.**

E. Gallagher, Community Development Director

**15. Adopt Resolution 14-156 accepting the public improvements of Tract 2805 into the City's maintenance system.**

E. Gallagher, Community Development Director

**16. Adopt Resolution 14-157 authorizing the recordation of Certificates of Compliance reflecting Tentative Parcel Map PRAL 14-0038, adjusting the boundaries of two parcels between Propeller Drive and Industrial Taxiway.**

E. Gallagher, Community Development Director

**17. Proclamation – National Hospice Month**

Consent Calendar items 7 through 17 were approved on a single motion by Councilman Strong and seconded by Councilman Martin.

Motion passed by the following roll call vote:

AYES: Strong, Martin, Steinbeck, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT:

**DISCUSSION**

**18. 12th Street Improvements, Spring to Fresno**

D. Monn, Public Works Director

For the City Council to review recommendations from the Ad Hoc Committee (Picanco and Strong) for final design of a Proposition 84 grant project at 12th Street.

Mayor Picanco opened the public discussion. Speaking from the public were Doug Barth, Jim Irving, Dale Gustin, Steve Barth and Kathy Barnett. There were no other comments, either written or oral, and the public discussion was closed.

**1<sup>st</sup> Motion**

A motion was made by Councilman Martin and seconded by Councilman Hamon to continue this item for 60 days to conduct additional neighborhood outreach.

Motion passed by the following roll call vote:

AYES: Martin, Hamon, Steinbeck, Strong, Picanco

NOES:

ABSTAIN:

ABSENT:

**2<sup>nd</sup> Motion**

A motion was made by Councilman Martin and seconded by Councilman Hamon directing staff to report back to Council in 90 days with options to reprioritize street construction funds to free up monies for an expanded 12<sup>th</sup> street project.

Motion passed by the following roll call vote:

AYES: Martin, Hamon, Strong, Picanco

NOES: Steinbeck

ABSTAIN:

ABSENT:

**19. 2015 Community Development Block Grant (CDBG) Program**

E. Gallagher, Community Development Director

For the City Council to (a) decide which applications for the City's 2015 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 2015 CDBG Fund allocations.

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 and seconded by Councilman Strong to (1) Identify the following applications to be listed in the Draft One Year Action Plan as being recommended for funding:

Handicapped Ramps .....	\$ 108,076
Public Services Activities .....	\$ 24,719
Administration & Capacity Building .....	\$ 32,000
	<u>\$ 164,795</u>

(2) Set Tuesday, March 3, 2014, the regular Council meeting as the date for the public hearing for 2015 CDBG allocations.

Motion passed by the following roll call vote:

AYES: Hamon, Strong, Martin, Steinbeck, Picanco

NOES:

ABSTAIN:

ABSENT:

**20. Housing-Related Parks Program Grant**

E. Gallagher, Community Development Director

For the City Council to adopt a resolution authorizing execution of a State Standard Agreement for a Housing-Related Parks Program Grant (for improvements to Downtown City Park).

Mayor Picanco opened the public discussion. Speaking from the public were Brandon Medeiros, Greg Haas, Kathy Barnett, Steve Fleury and Chris Taranto. 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 Martin to adopt Resolution 14-158 Authorizing Execution of a State Standard Agreement for a Housing-Related Parks Program (HRPP) Grant.

Motion passed by the following roll call vote:

AYES: Martin, Steinbeck, Strong, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT:

**21. Utility Rates and Connection Fee Study**

D. Monn, Public Works Director

For the City Council to consider contracting for a water and sewer rate/connection fee study.

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 Martin to adopt Resolution 14-159 appropriating \$65,200 from Wastewater Enterprise Fund (No. 601) and \$150,000 from Water Enterprise Fund (No. 600) to perform a utility user rate and connection fee study and authorizing the City Manager to enter into contractual arrangements with Kennedy/Jenks Consultants and TJCross Engineers in that amount. Should negotiations fail, authorize the City Manager to enter into negotiations with Bartle Wells Associates.

Motion passed by the following roll call vote:

AYES: Steinbeck, Martin, Strong, Picanco

NOES: Hamon

ABSTAIN:

ABSENT:

**22. Tourism Logo Change**

M. Williamson, Assistant City Manager

For the City Council to consider approving a redesign of the Tourism logo used in marketing the City of Paso Robles.

Mayor Picanco opened the public discussion. Speaking from the public were Kathy Barnett, Amanda Diefenderfer, Matt Masia and Norma Moye. 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 Steinbeck to consider the recommendation of the TPRA and TCC to approve the tourism logo redesign.

Motion passed by the following roll call vote:

AYES: Strong, Steinbeck, Martin, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT:

**23. HVAC Systems Assessment at City Hall and Centennial Park**

D. Monn, Public Works Director

For City Council to consider HVAC assessment and preparation of repair plans and bid specification for Library/City Hall and Centennial Park.

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 14-160 authorizing \$72,160.00 from General Reserve Funds to Account xxxxxxx-52240 and to authorize the City Manager to enter into a contract with PMSM Architects in an amount not to exceed \$72,160.00.

Motion passed by the following roll call vote:

AYES: Martin, Steinbeck, Strong, Picanco

NOES: Hamon

ABSTAIN:

ABSENT:

**COUNCIL BUSINESS**

- All Councilmen agreed that a proclamation should be prepared that recognizes Jackie Sebro's years of service at Loaves and Fishes.
- Councilman Martin reported on the Library meeting that he attended.
- Councilman Strong reported on his state activities specifically his work with the railroad to get better service for Paso Robles.

**ADJOURNMENT TO CLOSED SESSION AT 10:50PM:**

A motion was made by Councilman Steinbeck and seconded by Councilman Strong to adjourn regular meeting.

Motion passed by the following roll call vote:

AYES: Steinbeck, Strong, Martin, Hamon, Picanco

NOES:

ABSTAIN:

ABSENT:

**CLOSED SESSION**

- **Conference with Real Property Negotiators**  
Gov. Code section 54956.8  
Property: APN 008-391-036  
City Negotiator: James App, City Manager  
Negotiating parties: Ed Gallagher  
Under negotiation: Price and terms of payment

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

**ADJOURNMENT AT 11:10PM TO:**

- AIRPORT ADVISORY COMMITTEE INTERVIEWS AND APPOINTMENTS – 7:00PM ON THURSDAY, NOVEMBER 20, 2014 IN THE LIBRARY/CITY HALL CONFERENCE ROOM, 1000 SPRING STREET.
- CITY COUNCIL/PLANNING COMMISSION BREAKFAST – 7:00AM ON FRIDAY, NOVEMBER 21, 2014 AT TOUCH OF PASO RESTAURANT.
- PLANNING COMMISSION REGULAR MEETING – 7:30PM ON TUESDAY, NOVEMBER 25, 2014 IN THE LIBRARY/CITY HALL CONFERENCE ROOM, 1000 SPRING STREET.
- REGULAR CITY COUNCIL MEETING – 7:30PM ON TUESDAY, DECEMBER 2, 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.***