



CITY OF EL PASO DE ROBLES
"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, November 17, 2015

Location: Paso Robles Library/City Hall Conference Center
1000 Spring Street, Paso Robles

5:00 PM – CLOSED SESSION

Paso Robles City Hall Large Conference Room
1000 Spring Street, 2nd Floor, Paso Robles

- **Conference with Real Property Negotiators**
Pursuant to Government Code section 54956.8
Property: Pioneer Park, Paso Robles
City Negotiator: Jim App; Meg Williamson
Negotiating parties: Vivian Robertson, CEO P.R.E.C.
Under negotiation: Price and terms of payment

ADDENDUM TO SPECIAL MEETING CLOSED SESSION

5:00PM – CLOSED SESSION

Paso Robles City Hall Large Conference Room
1000 Spring Street, 2nd Floor, Paso Robles

- **Appointment of Public Official: City Manager**
Pursuant to Government Code section 54957

Reportable action – Council voted 5-0 to appoint Thomas Frutchey as the next City Manager.

CITY COUNCIL RECESSED TO REGULAR CITY COUNCIL MEETING AT 6:10PM

6:30 PM – CONVENE REGULAR MEETING

Paso Robles Library/City Hall Conference Center
1000 Spring Street, Paso Robles

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION – Pat Sheean

ROLL CALL Councilmembers Steve Gregory, John Hamon, Fred Strong, Jim Reed, and Mayor Steven Martin

STAFF INTRODUCTIONS

PRESENTATIONS

1. [Drought Conservation Progress Report](#)
D. McKinley, Director of Public Works

Director McKinley spoke about ongoing water conservation efforts.

PUBLIC COMMENT

- Carolyn Fragota and Pat Sheean spoke on this issue.

PUBLIC COMMENTS

This is the time the public may address the Council on items other than those scheduled on the agenda.

- Carolyn Fragota, Janene Rand, Sue Akin and Adel Orton spoke about Styrofoam and their desire to see it banned.
- Ethan Athey and Daniel Callahan spoke about Youth Commission activities.
- John Boarst spoke about water rate issues.
- Norma Moye spoke about the upcoming Light up the Downtown event in the City Park.

AGENDA ITEMS TO BE DEFERRED - None

PUBLIC HEARINGS

2. [Landscape Ordinance Update](#)

W. Frace, Director of Community Development

For the City Council to consider adopting an Ordinance that would amend the Zoning Code to update the City's Water Efficient Landscape and Irrigation Ordinance (Section 21.22B).

Mayor Martin opened the public hearing. 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 Hamon to introduce for first reading Ordinance No. 15-XXX approving Zoning Code Amendment 15-004, amending Section 21.22B of the Zoning Code, to adopt the Draft Water Efficient Landscape Ordinance, and set December 1, 2015 as the date for adoption of said Ordinance.

Motion passed by the following roll call vote:

AYES: Strong, Hamon, Gregory, Martin
NOES: Reed
ABSTAIN:
ABSENT:

CONSENT CALENDAR

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

3. [Approve City Council Minutes from 11/03/2015](#)

D. Fansler, City Clerk

4. [Approve Warrant Registers](#)

J. Throop, Director of Administrative Services

5. [Advisory Body Minutes](#)

Travel Paso Robles Alliance (9/22/15, 10/13/2015, 10/20/2015)
Youth Commission (10/7/15)

6. [Proclamation – Small Business Saturday 2015](#)

7. [Visit SLO County Advisory Committee – Council Member Appointment](#)

M. Williamson, Assistant City Manager

8. [Approving Resolution 15-138 Surplus Property](#)

J. Throop, Director of Administrative Services

9. [Approving Resolution 15-139 Airport Sublease Agreement – John and Koene Graves](#)

D. McKinley, Director of Public Works

PUBLIC COMMENT - None

ROLL CALL VOTE

Consent Calendar items 3-9 were approved on a single motion by Councilman Gregory and seconded by Councilman Strong.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

NOES:
ABSTAIN:
ABSENT:

DISCUSSION

ADDENDUM TO REGULAR MEETING

10A. Appointment of New City Manager

J. App, City Manager

For City Council to consider appointment of Thomas Frutchey as City Manager and approve Employment Agreement.

Mayor Martin 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 Gregory adopting Resolution No. 15-140 appointing Thomas Frutchey as City Manager and approving Employment Agreement.

Motion passed by the following roll call vote:

AYES: Strong, Gregory, Hamon, Reed, Martin
NOES:
ABSTAIN:
ABSENT:

10. Proposed Lighted Crosswalks on 13th at Park and Pine Street

D. McKinley, Director of Public Works

For City Council to consider options for project funding for installing lighted crosswalks on 13th Street at Park and at Pine Street.

Mayor Martin opened the public discussion. Speaking from the public were Megan Vanhook, Laurie Foster, Susan Moore, Greg Carroll, Margaret Holstine and Matt Masia. 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 Strong to bring back low cost options with funding sources, do more analysis and place lighted crosswalk signs on 13th street.

Motion passed by the following roll call vote:

AYES: Hamon, Strong, Gregory, Reed, Martin
NOES:
ABSTAIN:
ABSENT:

11. E-Verify Program

I. Yang, City Attorney

To provide supplemental information as to whether California law would prohibit the City from requiring its contractors to use E-Verify for the contractor's employees.

Mayor Martin opened the public discussion. Speaking from the public were Mike Rivera, Sheila Healy and Jerry Jones. There were no other comments either written or oral, and the public discussion was closed.

A motion was made by Councilman Gregory and seconded by Councilman Strong to use E-verify for six months then bring back to City Council for discussion.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin
NOES:
ABSTAIN:
ABSENT:

12. Investment Policy and Portfolio Review

M. Compton, City Treasurer

For the City Council to review the City's Investment Policy and Portfolio.

Mayor Martin 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 Hamon to approve Resolution 15-141 the revised Investment Policy. Option B regarding a one-time waiver was dropped.

Motion passed by the following roll call vote:

AYES: Strong, Hamon, Gregory, Reed, Martin
NOES:
ABSTAIN:
ABSENT:

13. Engineer-in-Training for Capital Projects Engineering

D. McKinley, Director of Public Works

For the City Council to consider authorizing a change in staffing in Capital Projects Engineering, from a part-time Administrative Assistant II (which is currently vacant), to a full-time Engineer-in-Training (Tech III).

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

A motion was made by Councilman Gregory and seconded by Councilman Strong to adopt Resolution 15-142 allocating funds from the Water and Wastewater Funds for the addition of an Engineer-in-Training position (Technician III classified), and eliminating the Administrative Assistant II position from Capital Projects Engineering.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin
NOES:
ABSTAIN:
ABSENT:

14. Housing Constraints Committee Interviews

W. Frace, Director of Community Development

For the City Council to set an interview date and time for Housing Constraints Advisory Committee applicants.

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

A motion was made by Councilman Gregory and seconded by Councilman Hamon to set the interview date as December 3, 2015 at 6:30pm.

Motion passed by the following voice vote:

AYES: Gregory, Hamon, Reed, Strong, Martin
NOES:
ABSTAIN:
ABSENT:

15. 2015 Urban Water Management Plan

D. McKinley, Director of Public Works

For the City Council to consider a contract with Todd Groundwater to update the City's Urban Water Management Plan (UWMP).

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

A motion was made by Councilman Gregory and seconded by Councilman Strong to adopt Resolution No. 15-143 awarding a contract with Todd Groundwater for a not-to-exceed fee of \$100,232 for preparation of the 2015 Urban Water Management Plan.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin
NOES:
ABSTAIN:
ABSENT:

COUNCIL BUSINESS & COMMITTEE REPORTS

16. Current Council Committee Activities Reports (if any).

Councilmen and the mayor reported on committee and other activities.

ADJOURNMENT OF REGULAR MEETING

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

Motion passed by the following roll call vote:

AYES: Strong, Hamon, Gregory, Reed, Martin

ADJOURNMENT OF REGULAR MEETING AT 8:27PM TO:

- GRADING ORDINANCE ADVISORY COMMITTEE MEETING – 6:00PM ON WEDNESDAY, NOVEMBER 18, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- JOINT CITY COUNCIL AND PLANNING COMMISSION BREAKFAST – 7:00 AM ON FRIDAY, NOVEMBER 20, 2015 AT TOUCH OF PASO, 1414 PINE STREET, PASO ROBLES.
- REGULAR PLANNING COMMISSION MEETING - 6:30PM ON TUESDAY, NOVEMBER 24, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- DOWNTOWN HOLIDAY LIGHTING CEREMONY – 5:30PM ON FRIDAY, NOVEMBER 27, 2015 AT THE PASO ROBLES DOWNTOWN CITY PARK, 12TH STREET AND SPRING STREET, PASO ROBLES.
- REGULAR CITY COUNCIL MEETING - 6:30PM ON TUESDAY, DECEMBER 1, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.

*THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT PART OF THE RECORDS UNTIL
APPROVED BY THE CITY COUNCIL AT A FUTURE REGULAR MEETING*

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 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.

**Report of Mayor Pro Tem Fred Strong
For period of November 4 - 16, 2015
For Council meeting of November 17, 2015**

SLOCOG/SLORTA meeting of November 3rd:

I attended as a guest the SLORTA meeting where Mayor Martin represented us. During that meeting new ways to interact between the passengers, dispatchers and bus drivers was explained and introduced. I was very impressed that this is on the cutting edge of what the U.S. Department of Transportation is advocating for the entire nation, except that San Luis Obispo County is already a step ahead of most other places.

At the SLOCOG meeting the constraints Congress has placed upon money for highway and street repairs and improvements was one of the most important issues. The highest priority was placed upon traffic congestion in the Pismo Beach to Arroyo Grande area for the next phase. One million dollars was removed from the S. Vine Street realignment due to recent law suits and the change in design criteria for the entire 46 West interchange project. Main Street in Templeton will be looked at for some of the relief for that intersection. One of the North County representatives also suggested that the South County took precedent over improving the intersection of highways 46 and 41 at the "Y" and asked that diversion of that money be looked into. I disagree with stopping the completion of Highway 46 East improvements at this time. The final decision on this matter will be made in 2018.

TRAC Statewide Passenger Rail Conference in Sacramento on November 7th:

I was a guest speaker at the Train Riders Association of California Annual Conference as Past Chairman of the Board and Executive Committee Member of the Pacific Surfliner Rail Corridor and as Transportation Policy Chairman of the National Association of Regional Councils. In my capacity nationally I explained how many delays of trains in California actually are caused by major congestion on, and disconnects between, tracks in Chicago. An effort is being made in Chicago called CREATE and three high priority projects (75th Street Corridor, Grand Crossing and Indiana Gateway) are key to short term congestion solutions nationwide. Representing LOSSAN, the Pacific Surfliner Corridor, after giving background I also urged continued support for the track passthrough project at LA Union Station and support for extension of services north of San Luis Obispo to San Jose and back. I opposed the concept of nationalizing the railroads and entering a new era where the United States joins Europe as a new Socialist nation.

Paso Robles Housing Authority:

The Housing Authority has a 1.7% vacancy but one of those units is due to a fire. Phase two is accepting applications with four buildings being 100% complete and waiting for release by the Monterey Housing Authority which controls the project as the

“developer”. Our housing authority is the manager and operator of the project until current contracts can be amended.

In that regard we are negotiating a larger percentage for management and a termination of Monterey’s involvement at some stage of the project development.

Investment policies were also discussed with about \$100,000 currently drawing significantly less interest than is available. A transfer of some assets is under consideration. An audit of the books is on process and a new finance director, Brent Weickert, started with the agency on November 12th.

League of California Cities’ Channel Counties Division meeting November 13th:

I attended the League Division’s meeting representing Paso Robles and promoted our Paderewski festival and tourism during my introduction.

A lively discussion ensued with Assemblywoman Jacqui Irwin regarding transportation and water issues. The water engagement included the representatives of four other Assembly members. While I was hoping to get some commitment for money to dredge existing reservoirs I was given the distinct impression that these members consider Los Angeles and Southern California to be of more importance regarding distribution of money by the State.

During the meeting I was informed that I am being re-appointed for 2016 to represent our Division on the League of California Cities’ Revenue and Taxation Policy Committee, which I chaired in 2013.

LOSSAN (Pacific Surfliner) Intercity Passenger Rail Corridor Board meeting of November 16th:

I attended the LOSSAN Board meeting representing SLOCOG, and as immediate past chairman and member of the executive committee.

We honored Jay Fountain of AmTrak who has been operations manager of the corridor for many years and has been transferred to Chicago to work in issues there. I urged him not forget the LA Union Station pass through tracks as he dealt with Chicago’s issues. [Recently, Union Pacific also transferred one of its key people from California to Chicago for similar reasons.]

We accepted a grant for first and last mile connection improvements for rail passengers and moved forward on reauthorization of the Rail 2 Rail programs which mostly important to Southern California. We amended our legislative program to allow greater flexibility in moving forward with extended service to connect all of California from San Diego to San Jose/Oakland to Sacramento/Auburn and back down the valley to Southern California. We set our meeting schedule for 2016 which will bring meeting to San Luis Obispo every three years instead of every two years and will eliminate

conflicts with SCAG and Metrolink meetings but which increases conflicts with League of Cities' meetings.

There were updates on positive train control and vehicle and locomotive procurement of new, modern equipment. There will be a one year delay because the passenger cars failed their safety testing. The locomotives, however, are on schedule and both should begin to arrive about the same time. Siemens is providing the locomotives.

AmTrak's Positive Train Control program was provided in an overview by their head of safety from Washington D.C. He said California is on track for AmTrak's hardware, software and radio frequency activation by 2017. Full implementation depends on Union Pacific and BNSF completing their part of the process and getting Federal approval. It was pointed out that the time extension of three years merely moved the implementation date back to its original authorized timeline. Amtrak by the end of fiscal 2015 will have expended \$162 million on implementation of positive train control. It is unknown how much more will be needed to complete the process.