



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL MINUTES

Tuesday, December 15, 2015

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. [Proclamation – City Manager Retirement](#)

S. Martin, Mayor

Mayor Martin read and presented a proclamation to City Manager Jim App. In addition, the Council presented Jim with a plaque recognizing his many accomplishments.

2. [Drought Conservation Progress Report](#)

D. McKinley, Director of Public Works

Director McKinley spoke about recent water conservation efforts and reported that the City is missing its conservation target by 11% for the month of December.

PUBLIC COMMENTS

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

- Pat Sheean, Frank Mecham, Ron Wisenand, Dennis Cassidy, Mayor Martin, Councilman John Hamon, Councilman Strong, Councilman Gregory and Iris Yang all spoke fondly about Jim.
- Martin L. Meltz Phd. spoke about emergency preparedness, including sheltering responsibilities, related to El Niño.
- Dale Gustin thanked Jim App for his positive relationship with the Main Street association.

AGENDA ITEMS TO BE DEFERRED – NONE

PUBLIC HEARINGS

3. [Solar Power Installations](#)

D. McKinley, Director of Public Works

For City Council to hold a public hearing and consider selecting SunEdison LLC as a solar energy provider pursuant to Government Code section 4217.10 *et seq.*, and adopt a resolution and directing the City Manager to enter into a Power Purchase Agreement and such other documents as necessary to achieve energy savings.

Mayor Martin opened the public hearing. Speaking from the public were Dale Gustin, Karl Hansen, Chris Baush and Ron Berry. There were no other comments, either written or oral, and the public hearing was closed.

A motion was made by Councilman Gregory and seconded by Councilman Strong to adopt Resolution 15-153 making findings on energy savings under California Government Code section 4217.12 *et seq.* and determining other matters in connection with energy service agreements.

Motion passed by the following roll call vote:

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

4. Policies for Private Water Well Use and Recycled Water

D. McKinley, Director of Public Works

For the City Council to consider a Municipal Code Amendment to Title 14 establishing permit requirements for the development and use of private wells, establishing policies for recycled water, and enrolling private well usage in the City's Water Conservation and Water Shortage Contingency Plan program.

Mayor Martin opened the public hearing. Speaking from the public were Karl Hansen, Neal Olson, Dale Gustin and Ron Berry. There were no other comments, either written or oral, and the public hearing was closed.

A motion was made by Councilman Hamon and seconded by Councilman Strong to Introduce for first reading Ordinance No. XXX N. S., Municipal Code Amendment outlining the terms for approval of the use of private wells, requiring metering of all private wells, and set January 5, 2016 for adoption of said Ordinance.

Motion passed by the following roll call vote:

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

*Councilman Gregory stepped out of the room at 7:50pm and returned at 8:30pm due to conflict of interest.

CONSENT CALENDAR

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

5. Approve City Council Minutes from 12/01/2015

D. Fansler, City Clerk

6. Approve Warrant Registers

J. Throop, Director of Administrative Services

7. Advisory Body Minutes

Travel Paso Robles Alliance (10/27/15, 11/17/15, 11/20/15)
Youth Commission (11/4/2015)

8. Approving Resolution 15-154 Acceptance of Parcel Map PRAL 15-0044 for Recordation (Ribolli)

J. Falkenstien, City Engineer

9. Approving Resolution 15-155 Approving a Contract Engineering Services Agreement with Tartaglia Engineering for the Design of the Rehabilitation of Airport Taxiways 'B'-'E'

D. McKinley, Director of Public Works

PUBIC COMMENT - None

ROLL CALL VOTE

Consent Calendar items 5-9 were approved on a single motion by Councilman Strong and seconded by Councilman Gregory.

Motion passed by the following roll call vote:

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

*Councilman Hamon abstained on consent calendar item 6 warrant register item #112515-17872

DISCUSSION

10. City Manager's Office Overview

M. Williamson, Assistant City Manager

For City Council to receive and file an overview of City Manager Office operations.

Mayor Martin opened the public discussion. Speaking from the public were Dale Gustin and Karl Hansen. 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 receive and file the City Manager's Office Report.

Motion passed by the following roll call vote:

AYES: Hamon, Strong, Gregory, Reed, Martin

NOES:

ABSTAIN:

ABSENT:

11. Oak Tree Removal 15-007 – 2091 Fallbrook Court (Ridino)

W. Frace, Director of Community Development

For the City Council to consider a request by Bill Ridino to remove one oak tree in conjunction with the development of a vacant lot at 2091 Fallbrook Court.

Mayor Martin opened the public discussion. Speaking from the public was Dale Gustin. 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 Gregory to adopt Resolution No. 15-156 approving OTR 15-007 for 2091 Fallbrook Court, allowing the removal of one 15-inch Coast Live Oak tree based on the tree being suppressed since it is located under the canopy of larger, healthier trees, and the removal of the tree would allow for the driveway to be placed in a location that would allow for a better transition with the neighboring yard, and require three (3) 1.5-inch diameter Coast Live 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, Gregory, Reed, Martin

NOES:

ABSTAIN:

ABSENT: Hamon*

*Councilman Hamon stepped out of the room at 8:51pm and returned at 8:59pm due to conflict of interest.

12. Building Board of Appeals Appointment

W. Frace, Director of Community Development

For the City Council to initiate formation of the Building Board of Appeals consistent with Section 113 of the California Building Code and Section 17.04.020.C. of the Paso Robles Municipal Code (Local Building Code).

Mayor Martin opened the public discussion. Speaking from the public was Ron Berry. 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 Hamon to continue the Resolution establishing the Board of Appeals to the January 5, 2016 agenda, direct staff to advertise for applicants to the Board of Appeals, and schedule interviews for applicants during a special meeting to be held on January 4, 2016.

Motion passed by the following roll call vote:

AYES: Gregory, Hamon, Reed, Strong, Martin

NOES:

ABSTAIN:

ABSENT:

13. Historic Resource Preservation – Planning Commission Recommendations

W. Frace, Director of Community Development

For City Council to consider recommendations of the Planning Commission on Historic Resource Preservation.

Mayor Martin opened the public discussion. Speaking from the public were Grace Pucci and Norma Moye. 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 appoint the Historical Society as the interim Historical Resources Preservation advisory committee for period of six months and then to reconsider the Planning Commission's recommendation to appoint a standing Historic Resources Advisory Committee.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

NOES:

ABSTAIN:

ABSENT:

14. Housing Constraints Committee Appointments

W. Frace, Director of Community Development

For City Council to confirm appointment of members to an advisory committee to review constraints on housing production.

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:

- a. Appoint a Housing Advisory Committee consisting of the following members:

Public Members

1. Julia Ogden
2. Alfred Garcia
3. Marc Dart
4. Jeff Eckles
5. Larry Werner
6. Gregory Haas
7. Vince Vanderlip
8. Beth Raphael
9. Chris Bausch

Planning Commission Members

10. John Donaldson
 11. Scott Brennan
- Alternates: Bob Rollins, Darrel Cooper

Council Members

12. Mayor Martin
 13. Councilman Gregory
- Alternate: Councilman Reed

Direct staff to prepare committee bylaws for Council consideration in January.

Motion passed by the following roll call vote:

AYES: Gregory, Hamon Strong, Reed, Martin

NOES:

ABSTAIN:

ABSENT:

COUNCIL BUSINESS & COMMITTEE REPORTS

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

Councilmembers and the mayor commented on committee and other activities.

ADJOURNMENT OF REGULAR MEETING

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

Motion passed by the following VOICE vote:

AYES: Gregory, Hamon, Strong, Reed, Martin

ADJOURNMENT OF REGULAR MEETING AT 9:49 PM TO:

- REGULAR PLANNING COMMISSION MEETING - 6:30PM ON TUESDAY, DECEMBER 22, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- SPECIAL CITY COUNCIL MEETING – 6:00PM ON MONDAY, JANUARY 4, 2016 IN THE LARGE CONFERENCE ROOM/CITY HALL, 1000 SPRING STREET, PASO ROBLES.
- REGULAR CITY COUNCIL MEETING - 6:30PM ON TUESDAY, JANUARY 5, 2016 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.

2010 CALIFORNIA

GOVERNMENT CODE

SECTION 8698-8698.2

8698. For purposes of this chapter, the following definitions shall apply:

(a) "Political subdivision" includes the state, any city, city and county, county, special district, or school district or public agency authorized by law.

(b) "Governing body" means the following:

(1) The Governor for the state.

(2) The legislative body for a city or city and county.

(3) The board of supervisors for a county.

(4) The governing board or board of trustees for a district or other public agency.

(5) An official designated by ordinance or resolution adopted by a governing body, as defined in paragraph (2), (3), or (4).

(c) "Public facility" means any facility of a political subdivision including parks, schools, and vacant or underutilized facilities which are owned, operated, leased, or maintained, or any combination thereof, by the political subdivision through money derived by taxation or assessment.

(d) "Declaration of a shelter crisis" means the duly proclaimed existence of a situation in which a significant number of persons are without the ability to obtain shelter, resulting in a threat to their health and safety.

8698.1. Upon a declaration of a shelter crisis, the following provisions shall apply during the period of the emergency.

(a) The political subdivision shall be immune from liability for ordinary negligence in the provision of emergency housing pursuant to Section 8698.2. This limitation of liability shall apply only to conditions, acts, or omissions directly related to, and which would not occur but for, the provision of emergency housing. This section does not limit liability for grossly negligent, reckless, or intentional conduct which causes injury.

(b) The provisions of any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety shall be suspended to the extent that strict compliance would in any way prevent, hinder, or delay the mitigation of the effects of the shelter crisis. Political subdivisions may, in place of such standards, enact municipal health and safety standards to be operative during the housing emergency consistent with ensuring minimal public health and safety. The provisions of this section apply only to additional public facilities open to the homeless pursuant to this chapter.

8698.2. (a) (1) The governing body may declare a shelter crisis, and may take such action as is necessary to carry out the provisions of this chapter, upon a finding by that governing body that a significant number of persons within the jurisdiction of the governing body are without the ability to obtain shelter, and that the situation has resulted in a threat to the health and safety of those persons.

(2) For purposes of this chapter, the governing body of the state, in making a declaration of a shelter crisis pursuant to paragraph (1), may limit that declaration to any geographical portion of the state.

(b) Upon a declaration of a shelter crisis pursuant to subdivision (a), the political subdivision may allow persons unable to obtain housing to occupy designated public facilities during the duration of the state of emergency.
