



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

CITY COUNCIL AGENDA

5:00 CLOSED SESSION / 6:30 REGULAR MEETING

February 7, 2017

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

**Please submit all speaker cards and correspondence for City Council to the City Clerk
Please refrain from cell phone use and turn ringer off during the meeting**

5:00 PM – CALL TO ORDER

ROLL CALL

CLOSED SESSION ITEMS

• **Public Employee Performance Evaluation**

Gov. Code section 54957

Title: City Manager

• **Conference with Legal Counsel – Existing Litigation (2 cases)**

Gov. Code section 54956.9(d)(1))

1. *Steinbeck Vineyards #1 LLC et al. v. County of San Luis Obispo, et al., Santa Clara County Superior Court Case No. 1-14-CV-265039*
2. *Robert Eidemiller v. County of San Luis Obispo, et al., Santa Clara County Superior Court Case No. 1-14-CV-269212*

• **Conference with Legal Counsel – Initiation of Litigation (1 Potential Case)**

Gov. Code section 54956.9(d)(4))

• **Meet and Confer Conference with Labor Negotiator**

Gov. Code section 54957.6

City Negotiator: Thomas Frutchey, City Manager
Employee Organizations: International Association of Firefighters (IAFF)
Police Officers Association (POA)
Service Employees International Union (SEIU)
Unrepresented Management
Unrepresented Part-time Employees

PUBLIC COMMENT REGARDING CLOSED SESSION MATTERS

ADJOURN TO CLOSED SESSION

6:30 PM – RECONVENE TO OPEN SESSION

REGULAR MEETING

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

INVOCATION - Pastor Sheean, Family Worship Center

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

STAFF AND COMMISSIONER INTRODUCTIONS

REPORT FROM CLOSED SESSION

PRESENTATIONS

1. [Drought Conservation Progress Report](#)

D. McKinley, Director of Public Works

GENERAL PUBLIC COMMENTS

This is the time the public may address the Council on items within the Council's purview but not scheduled on the agenda. **PLEASE TURN IN A SPEAKER CARD, SPEAK DIRECTLY INTO THE MICROPHONE AND BEGIN BY STATING YOUR NAME AND ADDRESS. EACH PERSON IS LIMITED TO 3 MINUTES.** Any person or subject requiring more than three minutes may be scheduled for a future Council meeting or referred to committee or staff. Those persons wishing to speak on any item scheduled on the agenda will be given an opportunity to do so at the time that item is being considered.

AGENDA ITEMS TO BE DEFERRED

CONSENT CALENDAR

ITEMS ON THE CONSENT CALENDAR ARE CONSIDERED ROUTINE, NOT REQUIRING SEPARATE DISCUSSION. However, if discussion is wanted by a member of the Council or public the item may be removed from the Consent Calendar and considered separately. Councilmembers and members of the public may offer comments or 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. Items pulled from consent will be heard at the end of the meeting.

2. [Approve City Council Minutes from 1/17/17, 1/25/17, 1/26/17. 1/31/17](#)

K. Buxkemper, Deputy City Clerk

3. [Receive Warrant Registers](#)

D. Purcell, Acting Director of Administrative Services

4. [Receive Advisory Body Minutes](#)

Youth Commission (12/7/16)

Library Board of Trustees (12/8/16)

Planning Commission (01/10/17)

5. [Approve Resolution 16-XXX - Amendment to SunEdison Agreement for Solar Power Projects](#)

D. McKinley, Director of Public Works

6. [Creston Road Improvements Public Participation Plan Status Update and Consultant Selection and Contract Award](#)

D. Esperanza, Capital Projects Engineer

7. [Breathing Air Compressor Replacement with Federal Grant Funds](#)

K. Johnson, Chief of Emergency Services

8. [Approve Resolution 16-XXX - Self-Contained Breathing Apparatus \(SCBA\) Surplus and Disposal](#)

K. Johnson, Chief of Emergency Services

9. [Potential Service by the Mayor on the CJPIA Executive Committee](#)

T. Frutchey, City Manager

10. [Award Construction Contract for Spring Street Repairs 10th to 16th](#)

D. Esperanza, Capital Project Engineer

11. [City ISA Certified Arborist List – Adding Cory Meyer, Arborist](#)

D. Nash, Associate Planner

ROLL CALL VOTE

REPORT ON ITEMS APPROVED ON CONSENT

PUBLIC HEARINGS

12. [Smoking Ordinance](#)

R. Burton, Chief of Police

Recommendation:

1. Introduce for first reading Ordinance No. XXXX to amend Chapter 9.41 of the municipal code to expand certain smoking restrictions, expressly prohibit smoking marijuana in public places, and set February 21, 2017, as the date for adoption of said ordinance.

ROLL CALL VOTE

13. [Conditional Use Permit 16-006 \(Wine Boss – Thomas Booth Applicant\) 1317 Park Street: Consideration of a Recommendation from the Planning Commission to Approve a Conditional Use Permit for a Beer/Wine Lounge within an Existing Commercial Building with the Determination that Public Convenience or Necessity \(PCN\) would be Served by the Issuance of a Type 42 License by the California Department of Alcoholic Beverage Control \(ABC\)](#)

D. Delgado, Assistant Planner

Recommendation:

1. Approve draft Resolution A; approving Conditional Use Permit 16-006, subject to site specific conditions of approval; and
2. Approve draft Resolution B; determining that Public Convenience or Necessity will be served by the issuance of a Type 42 ABC license for the Wine Boss located at 1317 Park Street;

ROLL CALL VOTE

14. [Tentative Parcel Map 16-0165 and Oak Tree Removal 16-013 – 301 Creston Road \(Omni Design Group/ Carol Hawkins Applicant\). A Recommendation from Planning Commission to Approve a 4-lot Parcel Map to Subdivide an Approximately 3.45-Acre Parcel with an Existing Single-Family Residential Unit into Four Parcels Ranging in Size from Approximately 20,000 Square Feet to 1.23 Acres with a Request to Remove Four Oak Trees](#)

D. Delgado, Assistant Planner

Recommendation:

Approve the 4-lot Parcel Map to subdivide an approximately 3.45-acre parcel with an existing single-family residential unit into four parcels ranging in size from approximately 20,000 square feet to 1.23 acres with a request to remove four oak trees by taking the following actions:

1. Approve draft Resolution A; approving Tentative Parcel Map 16-0165, subject to site specific conditions of approval; and
2. Approve draft Resolution B; approving Oak Tree Removal 16-013; subject to replacement requirements.

ROLL CALL VOTE

15. [Oak Tree Removal Permit 17-001 – 155 Flag Way and 13 Green Court / Country Club Estates\). Request for Removal of Two Native Oak Trees Leaning Towards the Two Condominium Units](#)

D. Nash, Associate Planner

Recommendation:

1. Approve draft Resolution 17-XXX, approving OTR 17-001, authorizing the removal of the 12-inch Coast Live Oak and the 20-inch Valley Oak based on the trees being in poor condition, as indicated in the Arborist Report; and require that five 1.5-inch diameter Oak replacement trees (or a reduced number of larger diameter replacement trees adding up to 8-inches) be planted on site at the direction of the Arborist.

ROLL CALL VOTE

DISCUSSION ITEMS

16. [Approval of Professional Services and Procedures for Construction of Tertiary Treatment Facilities](#)

M. Thompson, Wastewater Resources Manager

Recommendation:

Authorize the City Manager to:

1. 1) Extend an agreement with Black & Veatch for engineering services during construction for an amount of \$967,225; 2) extend an agreement with Covello Group for construction management services for an amount of \$1,376,575; and 3) extend an agreement with environmental monitor SWCA Environmental for an amount of \$59,791;
2. Direct the City Manager and City Attorney to make any minor changes in the above agreements that are found necessary and consistent with the Council's overall direction;
3. Approve Resolution No. 17-XXX regarding construction change order procedures for the Tertiary Treatment Facilities project.

ROLL CALL VOTE

17. [Planned Development 10-001 – Oak Park Redevelopment Phase Three: Council Consideration of a Request from the Paso Robles Housing Authority and Real Estate Development Services to Enter into a Fee Deferral Agreement in the Amount of \\$999,423 ± Providing for the Deferred Payment of Sewer and Water Connection Fees, Development Impact \(AB 1600\) Fees, and Building Permit Fees for Phase Three of the Redevelopment of Oak Park Public Housing](#)

W. Frace, Director of Community Development

Recommendation:

1. Approve attached draft Resolution A approving a deferral of Water Connection, Sewer Connection Fees, Development Impact Fees, and Building Permit Fees to assist the redevelopment of Phase Three of Oak Park Public Housing.
2. Authorize the City Attorney to prepare a final Fee Deferral Agreement for execution by the Paso Robles Housing Authority for the City of Paso Robles.

ROLL CALL VOTE

18. [Bill Avery Contract](#)

T. Frutchey, City Manager

Recommendation:

1. Authorize the City Manager to enter into agreement with Avery & Associates for the Fire Chief and Battalion Chief recruitments, in an amount not to exceed \$47,000.00

ROLL CALL VOTE

COUNCIL BUSINESS & COMMITTEE REPORTS

19. Current Council Committee Activities Reports

UPCOMING EVENTS

- Paso Robles Chamber of Commerce Annual Gala – 5:30pm on Saturday, February 11, 2017 at the Paso Robles Inn Ballroom, 1103 Spring Street, Paso Robles.
- Regular Planning Commission Meeting – 6:30pm on Tuesday, February 14, 2017 in the Library/City Hall Conference Center, 1000 Spring Street, Paso Robles.
- Regular City Council meeting – 6:30pm on Tuesday, February 21, 2017 in the Library/City Hall Conference Center, 1000 Spring Street, Paso Robles.

ADJOURNMENT

The deadline for submitting items for the next regular meeting is February 10, 2017

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.
