



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

CITY COUNCIL MINUTES

5:00 CLOSED SESSION
6:30 REGULAR MEETING

August 2, 2016

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

5:00 PM – CALLED TO ORDER

ROLL CALL Councilmembers Steve Gregory, Fred Strong, Jim Reed, and Mayor Steven Martin. Councilmember Hamon arrived shortly after the roll call.

PUBLIC COMMENT REGARDING CLOSED SESSION MATTERS - None

ADJOURNED TO CLOSED SESSION - None

CLOSED SESSION

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

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

1. *City of Paso Robles v. Quorum Realty Fund, et al., San Luis Obispo County Superior Court*
Case No. 14-CVP-0125

2. *Quorum Realty Fund IV v. City of Paso Robles, San Luis Obispo County Superior Court*
Case No. 14-CVP-0174

6:30 PM – RECONVENED TO OPEN SESSION AND CALLED REGULAR MEETING TO ORDER

INVOCATION – Pat Sheean

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

REPORT FROM CLOSED SESSION – City Attorney Iris Yang reported that, after many years of effort, two major lawsuits concerning the western Gateway to the City have now been settled. This constitutes very good news, as it avoids the costs, delays, and diversion of attention that are incumbent with such litigation, and it enables major and desirable public and private improvements at the City's western gateway to be initiated. The City Attorney thanked the Council, as well as representatives from Quorum and Cenco, for their commitment to resolving both matters to the benefit of all parties and the progress that has been achieved.

PUBLIC COMMENT - Greg Sanders

PRESENTATIONS

1. **[Drought Conservation Progress Report](#)**

D. McKinley, Director of Public Works

Director McKinley reported on City conservation efforts.

PUBLIC COMMENT- Dale Gustin, Karl Hansen

2. **[Heritage Oaks Bank Presentation on Local Investment Program](#)**

J. Kreowski, Heritage Oaks Bank

Simone Lagomarcino provided a presentation outlining Heritage Oaks Bank services.

GENERAL PUBLIC COMMENTS – Dale Gustin, Don Ragel, Darryl Cooper, Tom Apkerian, Charles Varni, James (Bill) Miller, Midori Feldman, Laurance Shinderman, Joseph Amanzio, Klaus Schumann, Savanna Cooper, Ron DeCarli, Jill Copeland, and Tom Roush

AGENDA ITEMS TO BE DEFERRED – None

CONSENT CALENDAR

3. [Approve City Council Minutes from 7/19/2016](#)
4. [Approve Warrant Registers](#)
5. [Advisory Body Minutes](#)
Library Board of Trustees (6/9/16)
Parks and Recreation Advisory Committee (6/13/2016)
Senior Citizen Advisory Committee (6/13/16)
6. [Reaffirming the Current Investment Policy](#)
Pulled for discussion by Dale Gustin
7. [Setting Tax Rate for Fiscal Year 2016-2017 with Respect to General Obligation Bonds](#)
Pulled for discussion by John Hamon
8. [Awarding Contract for the Riverside Corridor Improvements – 10th to 12th Street and West of 14th Street](#)
Pulled for discussion by Dale Gustin
9. [Designating the City Manager as Grant Administrator and Project Manager for the Creston Road Corridor Sustainable Community Grant](#)
Pulled for discussion by John Hamon and Jim Reed
10. [Authorize the City Manager to Extend the Delta Dental Contract and the CSAC-EIA Vision Contract Through December 31, 2017](#)
11. [Approve Resolution No. 16-098 Authorizing Continued Use of a Septic System at 739 Renate Way \(Brown\)](#)

PUBLIC COMMENT - Dale Gustin

ROLL CALL VOTE

Consent Calendar items 3, 4, 5, 10 & 11 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

PUBLIC HEARINGS

12. General Plan Amendment Cycle 2- 2016 (Parts A and B)

General Plan Amendment Cycle 2 - 2016 was comprised of two separate projects:

General Plan Amendment Cycle 2 - 2016 Part A – GPA 15-003 Alder Creek Apartments expansion

Amend the General Plan Land Use Element Map to re-designate approximately 1.50 acres of land from Residential Multi-Family Low Density, (RMF-8) to Residential Multi-Family High Density (RMF-20), and re-designate approximately 0.9 acres of land from Residential Multi-Family Low Density, (RMF-8) to Parks and Open Space (POS).

**General Plan Amendment Cycle 2 – 2016 Part B –
GPA 14-001 - Erskine Industrial Park**

Amend the General Plan Land Use Element Map to re-designate the land use designation of several properties with different land use designations, as follows:

- Approximately 10.45 acres of land from Business Park, (BP) to Commercial Services (CS)
- Approximately 4.5 acres of land from Residential-Agriculture/Planned Development, (RA/PD) to Commercial Services (CS)
- Approximately 1.7 acres of land from Residential-Agriculture/Planned Development, (RA/PD) to Business Park (BP)
- Approximately 55.70 acres of land from Parks and Open Space (POS) to Business Park (BP)

Note: Even though the two General Plan Amendments were addressed with separate resolutions and ordinances, they were considered as a single general plan amendment under Cycle 2 -2016 consistent with Government Code Section 65358 (b).

**12.1 [General Plan Amendment Cycle 2 - 2016 Part A -
General Plan Amendment 15-003, Rezone 15-002, Vesting Tentative Tract Map 3080, and Planned Development 15-003, APN: 009-767-049 \(612 Gardenia Court – Alder Creek Apartments\), New Heritage, LP/Joe Collins](#)**

For the City Council to consider a recommendation of approval from the Planning Commission regarding an application filed by Joe Collins requesting a General Plan Amendment (GPA), Zoning Map Amendment (RZ), Vesting Tentative Tract Map (VTTM), and Development Plan (PD), to allow for an expansion of the existing Alder Creek apartments, to add 16 2-bedroom units in four (4) buildings.

PUBLIC COMMENT – Larry Werner, Sue Aiken, Dale Gustin, Karl Hansen and Joe Collins

ROLL CALL VOTES

Motion #1

Motion by Councilman Gregory, seconded by Councilman Hamon to approve Resolution 16-099, and certify the project's Mitigated Negative Declaration and Mitigation Monitoring Program.

Motion passed by the following roll call vote:

AYES: Gregory, Hamon, Reed, Strong, Martin

Motion #2

Motion by Councilman Gregory, seconded by Councilman Hamon to approve Resolution 16-100 approving General Plan Amendment 15-003 (Part A of General Plan Amendment Cycle 2-2016), amending the General Plan Land Use Designation of approximately 1.50 acres of land from Residential Multi-Family Low Density, (RMF-8) to Residential Multi-Family High Density (RMF-20), and re-designate approximately 0.9 acres of land from Residential Multi-Family Low Density, (RMF-8) to Parks and Open Space (POS).

Motion passed by the following roll call vote:

AYES: Gregory, Hamon, Reed, Strong, Martin

Motion #3

Motion by Councilman Gregory, seconded by Councilman Hamon to introduce for first reading by title only, Draft Ordinance A, amending the City of El Paso de Robles Municipal Code Section 21.12.020 (Zoning Map).

Motion passed by the following roll call vote:

AYES: Gregory, Hamon, Reed, Strong, Martin

Motion #4

Motion by Councilman Gregory, seconded by Councilman Hamon to approve Resolution 16-101, to approve Vesting Tentative Parcel Map 3080 as modified.

Motion passed by the following roll call vote:

AYES: Gregory, Hamon, Reed, Strong, Martin

Motion #5

Motion by Councilman Gregory, seconded by Councilman Hamon to Approve Resolution 16-102, to approve Planned Development 15-003 as modified.

Motion passed by the following roll call vote:

AYES: Gregory, Hamon, Reed, Strong, Martin

12.2 [General Plan Amendment Cycle 2 - 2016 Part B - General Plan Amendment 14-001, Rezone 14-001, Vesting Tentative Tract Map 3069, and Oak Tree Removal 14-005, APN: 025-435-031, 030 and 029 \(East end of Wisteria Lane\) Ranch and Coast Properties, Inc./Tom Erskine.](#)

For the City Council to consider a recommendation of approval from the Planning Commission regarding an application filed by Kirk Consulting on behalf of Tom Erskine and Justin Vineyards, proposing to subdivide three (3) existing parcels, (APNs 025-435-029, 030, and 031) totaling 212 acres into 13 lots that would total 77.3 acres, and one (1) 134.7-acre remainder lot. Along with the subdivision is a request to amend the General Plan and Zoning designations of the 77.3 acres (Lots 1-13), and rezone lots 9, 10 & 11 of Tract 2778, adjacent to proposed Tract 3069. There is also a request to remove one (1) oak tree.

PUBLIC COMMENT - Dale Gustin, Steven L. Baker, Kimberly Roulth, Daniel Payton, Carol Dehart, and Ron DeCarli

ROLL CALL VOTES

Motion #1

Motion by Councilman Gregory, seconded by Councilman Strong to approve Resolution 16-103, and certify the project’s Mitigated Negative Declaration and Mitigation Monitoring Program as modified.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

Motion #2

Motion by Councilman Gregory, seconded by Councilman Strong to approved Resolution 16-104 (Part B Of General Plan Amendment Cycle 2-2016) to change the General Plan Land Use Map from as follows:

- Lots 9-11 (Tract 2778): Business Park to Commercial Services;
- Lot 1: Ag/Parks and Open Space to Commercial Services;
- Lots 2: Ag to Commercial Services;
- Lot 3: Ag/Parks and Open Space to Business Park;
- Lots 5-12: Parks & Open Space to Business Park;
- Lot 13: Ag/Parks & Open Space to Business Park.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

Motion #3

Motion by Councilman Gregory, seconded by Councilman Strong to Introduce for first reading by title only, draft Ordinance A, amending the City of El Paso de Robles Municipal Code Section 21.12.020 (Zoning Map).

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

Motion #4

Motion by Councilman Gregory, seconded by Councilman Strong to approve Resolution 16-105, to approve Vesting Tentative Tract 3069, and approve 'Erskine Parkway' as the new street name for the new connection road, subject to Conditions of Approval and Findings as modified.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

Motion #5

Motion by Councilman Gregory, seconded by Councilman Strong to approve Resolution 16-106, to approve OTR 14-005

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

DISCUSSION ITEMS

13. Status of City Property South of Paso Robles Street / 7th Street Intersection and Extension of Temporary Use Permit 12-003

For the City Council to determine whether City-owned property (the "City Property") south of the Paso Robles Street and 7th Street intersection should be dedicated as a City street and approve Encroachment and License Agreement with Paul Viborg and Debbie Sturgis-Viborg. In addition, determine whether to approve request for extension of Temporary Use Permit 12-003 for storage of vehicles and equipment.

NOTE: The City Manager noted that, since the publication of the agenda, additional progress had been made that voided the need for the first two resolutions. Instead, the City will issue a Right of Entry permit to Mr. Viborg, allowing him to chip seal, in a manner acceptable to both Mr. Viborg and the City, that portion of the City's property utilized by both Mr. Viborg and City crews. Mr. Frutchey noted the City's appreciation to Mr. Viborg for his offer to assist the City, donating materials and crew time for this effort.

PUBLIC COMMENT – Paul Viborg; Justin Harmon

PUBLIC CORRESPONDENCE – Paul and Debbie Viborg submitted correspondence that will be on record in the Office of the City Clerk.

ROLL CALL VOTE

Motion by Councilman Gregory, seconded by Councilman Strong to adopt Option 1c approving Resolution 16-107 approving a two-year extension for temporary use permit 12-003 and striking options 1a and 1b.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

ITEMS PULLED FROM THE CONSENT AGENDA

6. Reaffirming the Current Investment Policy

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

PUBLIC COMMENT - Dale Gustin

ROLL CALL VOTE

Motion by Councilman Strong, seconded by Councilman Gregory to approve Resolution No. 16-108 reaffirming the current investment policy.

Motion passed by the following roll call vote:

AYES: Strong, Gregory, Hamon, Reed, Martin

7. Setting Tax Rate for Fiscal Year 2016-2017 with Respect to General Obligation Bonds

For City Council to set the ad valorem tax rate for general obligation bond debt service for Fiscal Year 2016-17.

PUBLIC COMMENT – None

ROLL CALL VOTE

Motion by Councilman Hamon, seconded by Councilman Gregory to approve resolution No. 16-109 setting tax rate for fiscal year 2016-2017 with respect to general obligation bonds.

Motion passed by the following roll call vote:

AYES: Hamon, Gregory, Reed, Strong, Martin

8. Awarding Contract for the Riverside Corridor Improvements – 10th to 12th Street and West of 14th Street

PUBLIC COMMENT – Dale Gustin

ROLL CALL VOTE

Motion by Councilman Gregory, seconded by Councilman Strong to award a contract for the Riverside Corridor Improvements – 10th to 12th Street and West of 14th Street modified directing staff to explore the possibility of using any surplus grant funds to provide additional parking in the Downtown area.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

9. Designating the City Manager as Grant Administrator and Project Manager for the Creston Road Corridor Sustainable Community Grant

For the City Council to approve a Resolution authorizing the City Manager to execute a Caltrans Agreement for a Planning Grant, regarding the Creston Road Corridor – South River Road to Niblick.

PUBLIC COMMENT – Dale Gustin and Don Ragel

ROLL CALL VOTE

Motion by Councilman Gregory, seconded by Councilman Strong to approve Resolution No. 16-110 designating the City Manager as Grant Administrator for the Creston Road Corridor Sustainable Community Grant.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

COUNCIL BUSINESS & COMMITTEE REPORTS

14. Current Council Committee Activities Reports

Councilmembers and the Mayor reported on Committee activities and other related City business.

The Council requested that the oil train issue be revisited and agendized in September or October.

The Mayor noted that a "basic paradigm shift" is needed in the City's operation of the Airport and economic development efforts integrating the Airport and community as a whole. The Mayor requested that the Board of the Chamber of Commerce enter into a partnership with the City for economic development concerning the Airport. Councilmembers requested that the matrix of responsibilities for the proposed Airport Commission be revised, to consider removing the Commission from any role with respect to leases, and brought back to the Council as early as possible for consideration and approval. Councilmembers requested that new proposed lease policies and rates be brought to the Council, and that experts in commercial leasing in Paso Robles and at airports in general be consulted and available for discussion with the Council.

ADJOURNMENT OF REGULAR MEETING AT: 10:48 pm.

Motion by Councilman Strong, seconded by Councilman Gregory to adjourn regular meeting.

Motion passed by the following voice vote:

AYES: Strong, Gregory, Hamon, Reed, Martin

Submitted by:


Kristen L. Buxkemper, Deputy City Clerk
Approved: August 16, 2016