



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES

JOINT MEETING WITH THE  
PASO ROBLES GROUNDWATER SUSTAINABILITY AGENCY

5:30 CLOSED SESSION / 6:30 REGULAR MEETING

Tuesday, January 16, 2018

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Location: Paso Robles Council Chamber / Library Conference Center  
1000 Spring Street, Paso Robles

### 5:30 PM – CALLED TO ORDER

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

### CLOSED SESSION ITEMS

- **Conference with Real Property Negotiators**  
Pursuant to Government Code Section 54956.8

Property: SE corner of SR 46W / Theater Dr. (APN 009-831-029)  
City Negotiator: Tom Frutchey  
Negotiating Parties: Zen Paso Robles LLC  
Under Negotiation: Price and terms of payment

- **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*

### PUBLIC COMMENT REGARDING CLOSED SESSION MATTERS

### ADJOURNED TO CLOSED SESSION

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

### PLEDGE OF ALLEGIANCE

**INVOCATION** Pat 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.** No reportable actions.

### PRESENTATIONS

2. **Conservation Report**  
D. McKinley, Director of Public Works

Public Works Directory McKinley presented an update on City water conservation efforts.

**GENERAL PUBLIC COMMENTS.** Maria Garcia (no card), Mason Seden-Hansen

**AGENDA ITEMS TO BE DEFERRED** – Item 9 pulled for consideration at a future date uncertain.

### CONSENT CALENDAR

3. [Approve City Council Minutes from 12/19/17](#)
4. [Receive Warrant Requests](#)
5. [Receive Advisory Body Minutes](#)  
 Airport Commission (10/26/17)  
 Library Board of Trustees (10/12/17)
6. [Approved Resolution No. 18-001 Approving Encroachment Agreement for Firestone Brewery – Permit Installation of a Private Underground Wastewater Force-Main Line Crossing Vendels Circle](#)
7. [Authorized the City Manager to Enter into a Contract for Spring Street Off-Ramp Landscape Repair with Martinelli Landscape Construction, Inc.](#)
8. [Approved Request by Paso Robles First Baptist Church to Conduct an Easter Morning Service in the Downtown City Park on April 1, 2018](#)
9. [Modification to the Monthly Defined Health Benefits for Elected Officials](#)  
**Pulled for consideration at a future date uncertain.**
10. [Approved Resolution No. 18-002 Appointing Finance Manager Ryan Cornell to the Oversight Board for the Successor Agency to the City’s Redevelopment Agency](#)
11. [Approved Resolution No. 18-003 Approving External Plan Check Budget Adjustment](#)
12. [Approved the Replacement of the City’s Failed Street Crack Sealing Machine](#)
13. [Approved Resolution No. 18-004 Adopting City Records Retention Schedules](#)
14. [Approved Resolution No. 18-005 Authorizing Staff to Apply for the SB-1 Congestion Corridor Program Grant for the Parallel Route Phase 1 Funding Opportunity – Huer Huero Creek Bridge Project](#)

**PUBLIC COMMENT.** Dale Gustin

**CITY COUNCIL CONSENT CALENDAR ROLL CALL VOTE.** Motioned by Councilman Strong, seconded by Councilman Gregory, and passed unanimously to approve items 3-8 and 10-14 on a single motion.

**AYES:** Strong, Gregory, Hamon, Reed, and Martin

**CONVENED AS THE BOARD OF THE CITY OF PASO ROBLES GROUNDWATER SUSTAINABILITY AGENCY**

15. [Authorized the Mayor, as Chair of the Groundwater Sustainability Agency, to Sign and Transmit a Letter to the DWR Declaring the GSA’s Notice of Intent to Prepare a Groundwater Sustainability Plan \(GSP\)](#)

**PUBLIC COMMENT.** Dale Gustin

**PASO ROBLES GROUNDWATER SUSTAINABILITY AGENCY CONSENT CALENDAR ROLL CALL VOTE.** Motioned by Strong, seconded by Hamon, and passed unanimously to approve item No. 15.

**AYES:** Strong, Hamon, Gregory, Reed, and Martin

**ADJOURNED THE BOARD OF THE CITY OF PASO ROBLES GROUNDWATER SUSTAINABILITY AGENCY**

**REPORT ON ITEMS APPROVED ON CONSENT.** City Manager Tom Frutchey provided a summary of items approved on the consent agenda.

## PUBLIC HEARINGS

### 16. [Appeal of the Planning Commission's Approval of Planned Development 17-001, Tentative Parcel Map PR 16-0245 and Conditional Use Permit 17-015 \(Dave Spurr – Contractor Building and Storage Yard\)](#)

**PUBLIC COMMENT.** Dale Gustin, Paul Graebner, and Shannon McCabe

**ROLL CALL VOTE.** Motioned by Councilman Hamon, seconded by Councilman Strong, and passed 4-1 to approve the appeal with changes to the Landscape and Fencing Plan and modification to Condition No. 10 related to outdoor activities, by taking the following actions:

1. Approved Resolution No. 18-006 approving a Mitigated Negative Declaration;
2. Approved Resolution No. 18-007 approving Planned Development 17-001 and Conditional Use Permit (CUP) 17- 015 allowing for the development and operation of the 3.6-acre site with a 16,000 square foot office/maintenance building, with accessory outdoor storage yard, and allowing for the 15-foot landscape buffer along the western and southern property lines to replace the requirement to constructing a masonry wall, in favor of an 8-foot chain link fence with slats along the project's western, southern, and eastern boundaries for both Parcels 1 and 2 of PR 16-0245, subject to both standard and site specific conditions and encroachment permits;
3. Approve Resolution 18-008. approving Tentative Parcel Map PR 16-0245 subdividing the 7.2-acre parcel into two 3.6-acre parcels, subject to both standard and site specific conditions and encroachment permits.

**AYES:** Hamon, Strong, Gregory, and Reed

**NOES:** Martin

### 17. [Rezone 17-004 – Uptown/Town Center Specific Plan Amendments](#)

- Zoning Map Boundary Adjustment - Town Center -1 (TC-1) and Town Center (TC-2)
- Modifications to Land Use Table 5.3-1 - Add: Brewery, Distillery, and Winery Land Uses to the TC-1, TC-2 and Riverside Corridor (RC) Zones, and add Wine Tasting Rooms to the T3-F Zone on Spring Street

**PUBLIC COMMENT.** Larry Gabriel, Larry Werner, and Dale Gustin

**ROLL CALL VOTE.** Motioned by Councilman Hamon, seconded by Councilman Gregory, and passed unanimously to introduce an Ordinance for first reading by title only to amend the Uptown / Town Center Specific Plan (ZC 17-004) as follows:

1. Rezone a portion of the TC-1 zoning district to TC-2;
2. Add breweries and distilleries as permitted uses in the TC-1, TC-2, and RC zones with a CUP requirement if they exceed 10,000 square feet, and permit wineries in these zones with approval of a Conditional Use Permit;
3. Correct clerical error from prior Table 5.3-1 modification, and add back "Personal Services" as permitted use in the T3-F zone at 1740 Spring Street only (to allow an existing business to continue at that location); and
4. Allow wine tasting rooms with approval of a Conditional Use Permit in the T3-F zone on Spring Street.

**AYES:** Hamon, Gregory, Strong, Reed, and Martin

### 18. [Ordinance to Revise Section 14.08.040 and Chapter 14.10 of the Paso Robles Municipal Code Regarding Wastewater](#)

**PUBLIC COMMENT.** Dale Gustin

**ROLL CALL VOTE.** Motioned by Councilman Gregory, seconded by Councilman Strong, and passed unanimously to introduce for first reading by title only an Ordinance amending section 14.08.040 and chapter 14.10 of the Paso Robles Municipal Code regarding Industrial Waste Discharge to the City Wastewater System.

**AYES:** Gregory, Strong, Hamon, Reed, and Mayor Martin

### 19. [Addition of Chapter 16.10 to Title 16: Fire of the Paso Robles Municipal Code Regarding Alternative Nuisance Abatement Enforcement for Vegetative Growth and/or Refuse as a Public Nuisance](#)

**PUBLIC COMMENT.** None

**ROLL CALL VOTE #1.** Motioned by Councilman Gregory, seconded by Councilman Reed, and passed unanimously to adopt Urgency Ordinance No. 1047 N.S. amending the Paso Robles Municipal Code to add Chapter 16.10 to Title 16 Fire Regarding Abatement of Hazardous Weeds and Rubbish.

**AYES:** Gregory, Reed, Hamon, Strong, and Martin

**ROLL CALL VOTE #2.** Motioned by Councilman Gregory, seconded by Councilman Hamon, and passed unanimously to introduce and hold first reading of an Ordinance to amend the Paso Robles Municipal Code to add Chapter 16.10 to Title 16 Fire Regarding Abatement of Hazardous Weeds and Rubbish.

**AYES:** Gregory, Hamon, Strong, Reed, and Martin

## **DISCUSSION ITEMS**

20. [City Council Status Report – Hyatt Place Hotel 2 Application: Property Exchange Agreement between Zen Paso Robles, LLC. \(1955 Theater Drive / River Lodge Motel, and City Owned Property Located at the Southeast Corner of SR 46W and Theater Drive\)](#)

**PUBLIC COMMENT.** Dale Gustin and Steve Puglisi

**ROLL CALL VOTE.** Motioned by Councilman Strong, seconded by Councilman Hamon, and passed unanimously to receive and file this report.

**AYES:** Strong, Hamon, Gregory, Reed, and Martin

21. [Extending the Landfill Management Contract with Pacific Waste Services](#)

**PUBLIC COMMENT.** Jim Wyse

**ROLL CALL VOTE.** Motioned by Councilman Gregory, seconded by Councilman Strong, and passed unanimously to approve Resolution No. 18-009 authorizing the City Manager to execute Amendment No. 5 to the Landfill Operating Agreement with PWS, attached hereto, extending the term for 10 years, and authorizing the City Manager and City Attorney to make minor changes to the agreement fully consistent with overall Council direction.

**AYES:** Gregory, Strong, Hamon, Reed, and Martin

22. [Quarterly Budget Report – 1<sup>st</sup> Quarter Fiscal Year 2017-18](#)

**PUBLIC COMMENT.** None

**ROLL CALL VOTE #1.** Motioned by Councilman Strong, seconded by Councilman Gregory, and passed unanimously to receive and file the report, providing any direction or requests for future reports, to ensure they meet Council needs.

**AYES:** Strong, Gregory, Hamon, Reed, and Martin

**ROLL CALL VOTE #2.** Motioned by Councilman Strong, seconded by Councilman Gregory, and passed unanimously to approve Resolution No. 18-010 approving the carry-over appropriations of \$761,808 and \$95,000 from General Fund reserves.

**AYES:** Strong, Gregory, Hamon, Reed, and Martin

23. [Standard Details and Specifications Update](#)

**PUBLIC COMMENT.** None

**ROLL CALL VOTE.** Motioned by Councilman Strong, seconded by Councilman Hamon, and passed unanimously to approve Resolution No. 18-011, amending the Department of Public Works Standard Details and Specifications.

**AYES:** Strong, Hamon, Gregory, Reed, and Martin

24. Wallace Group – Needs List Contract Change Order and Budget Amounts

**PUBLIC COMMENT.** None

**ROLL CALL VOTE.** Motioned by Councilman Gregory, seconded by Councilman Hamon, and passed unanimously to approve Resolution No. 18-012 authorizing the City Manager to approve budget transfers and contract amendment for the Wallace Group Cost Estimating for Needs List up to \$161,427.

**AYES:** Gregory, Hamon, Strong, Reed, and Martin

**COUNCIL BUSINESS & COMMITTEE REPORTS**

25. Scheduling Special City Council Meeting Date(s) for Advisory Body Appointments to Planning Commission and Paso Robles Housing Authority Board of Commissioners

**PUBLIC COMMENT.** None

**ROLL CALL VOTE.** Motioned by Councilman Gregory, seconded by Councilman Strong, and passed unanimously on a voice vote to set a date of Thursday, February 22, 2018 for a special City Council meeting for interviewing applicants and making appointments to the Planning Commission and Housing Authority Board of Commissioners.

**AYES:** Gregory, Strong, Hamon, Reed, and Martin

26. Current Council Committee Activities and Reports

Councilmembers and the Mayor reported on committee attendance and other related activities.

**ADJOURNMENT** of the regular meeting at 10:32 PM.

Motioned by Councilman Strong, seconded by Councilman Gregory, and passed unanimously to adjourn the regular meeting.

Submitted by:



Kristen L. Buxkemper, Deputy City Clerk  
Approved: February 6, 2018