



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

CITY COUNCIL MINUTES

**CLOSED SESSION 5:00PM /
6:30PM REGULAR MEETING**

Tuesday, February 19, 2019

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

5:00 PM – CALL TO ORDER

ROLL CALL Councilmembers Maria Garcia, Steve Gregory, John Hamon, Fred Strong, and Mayor Steven Martin

CLOSED SESSION ITEMS

- **Conference with Legal Counsel – Existing Litigation (3 case)**

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
3. Pacific West Hotels & Resorts, Inc. et al. v. City of El Paso de Robles, et al., San Luis Obispo County Superior Court Case No. 18CVP-0220

- **Conference with Real Property Negotiators**

Pursuant to Government Code Section 54956.8

Property: 800 Pine Street, Suites A and B, Paso Robles, CA 93446
City Negotiator: Thomas Frutchey, City Manager
Under Negotiation: Price and terms of payment

PUBLIC COMMENT REGARDING CLOSED SESSION MATTERS

RECESSED TO CLOSED SESSION

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

PLEDGE OF ALLEGIANCE

INVOCATION Dan Feldman, Atheists United SLO

ROLL CALL Councilmembers Maria Garcia, Steve Gregory, John Hamon, Fred Strong, and Mayor Steven Martin

STAFF AND COMMISSIONER INTRODUCTIONS

REPORT FROM CLOSED SESSION. No reportable action

PRESENTATIONS

1. **Capital Projects Report**

Maintenance Superintendent Freda Berman and Capital Projects Engineer Ditas Esperanza each reported on Capital Projects for their respective departments.

PUBLIC COMMENT. Dale Gustin

2. **Council District Elections Report**

Assistant City Manager Jim Cogan reported on the City's progress towards implementing District Elections.

3. [Firefighter of the Year Charles Brown Award](#)
Mayor Martin read and presented the Firefighter of the Year Award to Charles Brown.
4. [City Employee Recognition Awards for Kelly Dunham and Tony Carminati](#)
Mayor Martin presented awards to Kelly Dunham and Tony Carminati recognizing their many years of service to the City of Paso Robles and honoring their upcoming retirements.
5. [Training Officer of the Year Award for Brian Lewis](#)
Mayor Martin read and presented the Training Officer of the Year award to Brian Lewis.
6. [Deputy Building Official Award for Charlie Moloney](#)
Mayor Martin read and presented an award to Deputy Building Official Charlie Moloney.
7. [The Worker Cooperative Presentation](#)
Mr. Paul Fairchild made a presentation about the Worker Cooperative business form and requested that the City Council consider adopting a resolution in support of Worker Cooperatives.

PUBLIC COMMENT. David Jensen and Michael Rivera

GENERAL PUBLIC COMMENTS. Clark Rudy and Francisco Ramirez

AGENDA ITEMS TO BE DEFERRED - None

CONSENT CALENDAR

8. [Approved City Council Minutes from 2/5/19, 2/6/19 and 2/7/19](#)
9. [Received Warrant Requests](#)
10. [Received Advisory Body Minutes](#)
Planning Commission (1/8/19)
Parks and Recreation Committee (1/14/19)
11. [Approved Construction Contract with R. Burke Corporation for Niblick Road Hot Spot Repairs and Bridge Deck Restriping](#)
12. [Approved Preparation of Plans, Specifications, and Cost Estimates for the Repair of Selected West Side Streets in 2019](#)
13. [Agreement with the Paso Robles Museum Foundation for the Sale of a Portion of Pioneer Park Property and Leaseback by City](#)
Pulled for Discussion by Councilmember Hamon

PUBLIC COMMENT. None

CONSENT CALENDAR ROLL CALL VOTE. Motioned by Councilmember Gregory, seconded by Councilmember Hamon, and passed unanimously to approve items 8-12.

AYES: Gregory, Hamon, Strong, Garcia, Martin

ITEM PULLED FROM THE CONSENT CALENDAR FOR DISCUSSION

13. [Approved an Agreement with the Paso Robles Museum Foundation for the Sale of a Portion of Pioneer Park Property and Leaseback by City](#)

PUBLIC COMMENT. Paul Viborg

ROLL CALL VOTE. Motioned by Councilmember Gregory, seconded by Councilmember Strong, and passed unanimously to approve Resolution No. 19-019 approving an agreement with the Paso Robles Museum Foundation for the sale of a portion of Pioneer Park Property and leaseback by the City.

AYES: Gregory, Strong, Hamon, Garcia, Martin

REPORT ON ITEMS APPROVED ON CONSENT. City Manager Tom Frutchey provided a brief explanation of the items approved on the consent calendar.

PUBLIC HEARINGS

14. Repeal of Urgency Ordinance 1069 N.S. Regarding Short-Term Rental Ordinance and Direction to Not Hold Second Reading of Regular Ordinance Regarding Short-Term Rentals

Councilmember Gregory and Councilmember Hamon each indicated his intent to recuse himself from participation in this item, due to each having a conflict of interest.

City Attorney Yang informed all present that, since the adoption of the urgency ordinance required four affirmative votes, its repeal would also require four affirmative votes. As allowed by the “Rule of Necessity” in situations like this, lots were drawn to determine which of the two Councilmembers would be allowed to participate. Councilmember Hamon’s name was randomly drawn; he stayed at the dais in order to provide the fourth vote.

Councilmember Gregory then removed himself from the City Council Chambers at 7:42 PM due to his conflict of interest.

PUBLIC COMMENT. Dale Gustin, Doug Barth, and Michael Rivera

ROLL CALL VOTE #1. Motioned by Councilmember Strong, seconded by Councilmember Garcia, and passed 4-0-1 (Councilmember Gregory having recused himself) to repeal Urgency Ordinance 1069 N.S., which added the Short-Term Rental Ordinance to the Zoning Code.

AYES: Strong, Garcia, Martin, Hamon

ABSTAIN: Gregory

Councilmember Hamon then removed himself from the City Council Chambers at 7:49 PM, due to his conflict of interest.

ROLL CALL VOTE #2. Motioned by Councilmember Strong, seconded by Councilmember Garcia, and passed 3-0-2 (Councilmembers Gregory and Hamon having recused themselves) directing staff not to bring back for second reading an ordinance adding the Short-Term Rental Ordinance to the Zoning Code.

AYES: Strong, Garcia, Martin

ABSTAIN: Gregory, Hamon

15. Introduce, for First Reading by Title Only, a Short-Term Rental Ordinance Zoning Code Amendment (ZC 15-006) – Amendment of Municipal Code to Add Provisions Regulating Short-Term Rentals (Vacation Rental Homes) in All Residential and Mixed-Use Zoning Districts Throughout the City

PUBLIC COMMENT. Doug Barth, Michael Rivera, Dale Gustin, Dan Jones, Margaret Holstein, Lisa Maccagno, Beth Burk, Kirk Maccagno, Katrina Keatts, Tony Gaspar, George Avina, Carolyn Dismuke, and Francisco Ramirez

ROLL CALL VOTE #1. Motion was made by Councilmember Strong to hold first reading, by title only, an Ordinance adding the Short-Term Rental Ordinance to the City Municipal Code. Motion died for lack of a second.

ROLL CALL VOTE #2. Motioned by Mayor Martin, seconded by Councilmember Strong, and passed 3-0-2 (Councilmembers Gregory and Hamon having recused themselves) to refer this Short-Term Rental Ordinance issue back to the Short-Term Rental Task Force and direct that the Task Force forward its recommendations to the Planning Commission within 60 days.

AYES: Martin, Strong, Garcia,

ABSTAIN: Gregory, Hamon

No action was taken on the associated resolution with this item regarding adding a non-refundable Short-Term Rental Permit Fee and a Short-Term Rental Inspection Fee to the City's Comprehensive Fee Schedule.

Councilmembers Gregory and Hamon returned at 8:55 PM after City Council completed action on items 14 and 15.

DISCUSSION ITEMS

16. Sherwood Park Area Master Plan

PUBLIC COMMENT. Mark Dart, Christopher Taranto, Larry Werner, Stan Sherwin, John Siemens, Nancy Mello, and Francisco Ramirez

ROLL CALL VOTE. Motioned by Councilmember Gregory, seconded by Councilmember Hamon, and passed unanimously to adopt the 2019 Sherwood Park Area Master Plan and authorized the preparation of a project phasing plan, financing plan, engineered construction drawings, and a maintenance/staffing needs analysis.

AYES: Gregory, Hamon, Strong, Garcia, Martin

17. Options for Increasing Pickleball Court Capacity

PUBLIC COMMENT. Larry Werner, Rex Thornhill, and Steve Sidwell

ROLL CALL VOTE. Motioned by Councilmember Gregory, seconded by Councilmember Strong, and passed unanimously to direct staff to prioritize the construction of new pickleball courts at Sherwood Park with lighting, utilizing reserves, to return to Council with a recommendation for replenishing the reserves.

AYES: Gregory, Hamon, Strong, Garcia, Martin

COUNCIL BUSINESS & COMMITTEE REPORTS

18. Council Regional Bodies Report

Mayor Martin and City Manager Tom Frutchey spoke about the value to the City of council members serving on regional representative bodies and the importance of reporting back to the Council and staff regarding items of significance to the city.

19. Current Council Committee Activities and Reports

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

City Council, by straw vote, decided to schedule a special City Council meeting at 6:30pm on Thursday February 21, 2019, to consider: alternative approaches to providing Homelessness services; grant applications and other mechanisms for funding homeless services; and collaboration among North County entities.

ADJOURNMENT of the February 19, 2019 regular City Council Meeting at 10:03PM.

Motioned by Councilmember Gregory, seconded by Councilmember Strong, and passed by unanimous voice vote to adjourn to the March 5, 2019 regular City Council meeting.

Submitted by:



Kristen L. Buxkemper, Deputy City Clerk
Approved: March 5, 2019