

CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

PASO ROBLES CITY COUNCIL MINUTES

Tuesday, June 4, 2019

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

Wednesday, June 5, 2019

6:30PM RECESSED MEETING

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

TUESDAY, JUNE 4, 2019

5:00 PM – CLOSED SESSION CALLED TO ORDER

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

CLOSED SESSION ITEMS

- **Initiation of Litigation**

Pursuant to Government Code Section 54956.9(d)(4)

Property: 2930 Union Road, Paso Robles, CA 93446 / Butz Construction

- **Conference with Real Property Negotiators**

Pursuant to Government Code Section 54956.8

Property: 4545 Airport Road, Paso Robles, CA 93446
(CDCR Estrella Correctional Facility)

City Negotiator: Thomas Frutchey, City Manager

Under Negotiation: Price and terms of payment

- **Conference with Real Property Negotiators**

Pursuant to Government Code Section 54956.8

Property: 1345 Park Street, Paso Robles, CA 93446

City Negotiator: Thomas Frutchey, City Manager

Under Negotiation: Price and terms of payment

PUBLIC COMMENT REGARDING CLOSED SESSION MATTERS

RECESS TO CLOSED SESSION – The City Attorney clarified that the initiation of litigation item concerned 1 potential case and that the reference to the real property at 2930 Union Road was an error unrelated to the initiation of litigation closed session.

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

PLEDGE OF ALLEGIANCE

INVOCATION St. James Episcopal Church - Reverend Barbara Miller

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

STAFF AND COMMISSIONER INTRODUCTIONS

REPORT FROM CLOSED SESSION – No reportable action.

PRESENTATIONS

1. [Hunger Awareness Day Proclamation](#)

Mayor Martin read and presented a proclamation to Doug Major recognizing Hunger Awareness Day.

GENERAL PUBLIC COMMENTS. Chip Tamagni, Ron Cuff and Dale Gustin.

AGENDA ITEMS TO BE DEFERRED – Item 14; to be re-agendized in the future.

CONSENT CALENDAR

2. [Approve City Council Minutes from 5/21/19](#)

3. [Receive Warrant Requests](#)

4. [Receive Advisory Body Minutes](#)

Parks and Recreation Advisory Committee (4/8/19)
Planning Commission (4/9/19)

5. [Read by Title Only and Adopt Ordinance 1074 N.S. for Community Choice Aggregation/ Monterey Bay Community Power](#)

Pulled for discussion

6. [Approve Proposed Business Success Center and Lease for 1345 Park Street](#)

Pulled for discussion

7. [Adopt Resolution No. 19-055 Approving Amendment Number Five for the Golder Associates Agreement for Landfill Testing and Monitoring](#)

8. [Receive and File Quarterly Budget Report for 3rd Quarter Fiscal Year 2018-19](#)

9. [Adopt Resolution No. 19-056 Approving Portable Radios and Body Worn Cameras Purchase](#)

PUBLIC COMMENT. Dale Gustin and Chip Tamagni.

CONSENT CALENDAR ROLL CALL VOTE. Motioned by Councilmember Gregory and seconded by Councilmember Strong and passed 4-0 (Hamon absent) to approve items 2-4 and 7-9.

AYES: Gregory, Strong, Garcia and Martin

ABSENT: Hamon

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

PUBLIC HEARINGS

10. [Annual Levy of Landscape and Lighting Maintenance District No. 1 and Drainage Maintenance District 2008-1 for Fiscal Year 2019-20](#)

PUBLIC COMMENT. Chip Tamagni

ROLL CALL VOTE. Motioned by Councilmember Gregory and seconded by Councilmember Strong and passed 4-0 (Hamon absent) to approve Resolutions 19-057, 19-058, 19-059, and 19-060 approving the Landscape and Lighting Maintenance District and Drainage Maintenance District Engineer's Reports and ordering the annual levy and collection of assessments. Directed staff to consider scheduling the removal of sycamore trees on Christina Court, subject to the impact on the completion of other high-priority tree and sidewalk projects.

AYES: Gregory, Strong, Garcia and Martin

ABSENT: Hamon

11. [Resolution Confirming the Existence of Weeds or Noxious Growth Creating a Potential Fire Hazard and Ordering their Abatement](#)

PUBLIC COMMENT. None

ROLL CALL VOTE. Motioned by Councilmember Gregory and seconded by Councilmember Strong and passed 4-0 (Hamon absent) to approve Resolution No. 19-061 confirming the existence of public nuisance(s) described in Exhibit A (as amended in the addendum to the original agenda packet) and ordering the abatement of weeds or noxious growth to abate the nuisance.

AYES: Gregory, Strong, Garcia and Martin

ABSENT: Hamon

12. [Amending and Re-naming Paso Robles Municipal Code, Title 5, Business Licenses](#)

PUBLIC COMMENT. Dale Gustin, Sally Reynolds and Chip Tamagni.

ROLL CALL VOTE. Motioned by Councilmember Strong and seconded by Councilmember Gregory and passed 4-0 (Hamon absent) to approve Introduce for first reading by title only, Ordinances A-E approving updates and revisions to Title 3, *Revenue and Finance* and Title 5, *Business Licenses*, of the Paso Robles Municipal Code.

AYES: Strong, Gregory, Garcia and Martin

ABSENT: Hamon

13. [Oak Tree Removal Permit 19-11 – A Request for the Removal of One Valley Oak Tree \(40-inch dbh\) at 507 18th Street \(Applicant: Russ Surber\)](#)

PUBLIC COMMENT. Chip Tamagni

ROLL CALL VOTE. Motioned by Councilmember Strong and seconded by Councilmember Gregory and passed 4-0 (Hamon absent) to approve Resolution No. 19-062 finding the Valley Oak at 507 18th Street is in poor condition and likely to cause damage to the property if it were to remain, and requiring the replanting of one 24-inch box Valley Oak tree on site.

AYES: Strong, Gregory, Garcia and Martin

ABSENT: Hamon

DISCUSSION ITEMS

14. **Gus Khouri Quarterly Report**

Continued to future date uncertain.

ITEMS PULLED FROM THE CONSENT CALENDAR FOR DISCUSSION

5. [Adopt Ordinance 1074 N.S. for Community Choice Aggregation/ Monterey Bay Community Power](#)

PUBLIC COMMENT. Chip Tamagni, Gary Blackner, Dale Gustin, David Bouguin, Sheila Healy, Peter Byrne, Sally Reynolds and Michael Rivera.

ROLL CALL VOTE. Motioned by Councilmember Strong and seconded by Councilmember Garcia and passed 4-0 (Hamon absent) to hold second reading and adopt Ordinance No. 1074 N.S. by title only for Community Aggregation/Monterey Bay Community Power.

AYES: Strong, Garcia, Gregory, and Martin

ABSENT: Hamon

6. [Proposed Business Success Center and Lease for 1345 Park Street](#)

PUBLIC COMMENT. Dale Gustin and Eric Horman.

City Council received and filed the report.

COUNCIL BUSINESS & COMMITTEE REPORTS

15. Current Council Committee Activities and Reports

Councilmember reported on committee activities and other City related issues.

ADJOURNMENT of the Tuesday, June 4, 2019 regular City Council meeting at 9:08PM to the recessed meeting of Wednesday, June 5, 2019.

Motioned by Councilmember Strong and seconded by Councilmember Garcia and passed 4-0 (Hamon absent) by voice vote to adjourn to the June 5, 2019 City Council meeting:

Closed session: 5:30PM

Regular meeting: 6:30PM

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

WEDNESDAY, JUNE 5, 2019 – 5:30PM

Paso Robles Library/City Hall Conference Center

1000 Spring Street, Paso Robles

5:30 PM – CLOSED SESSION CALLED TO ORDER

ROLL CALL Councilmembers Maria Garcia, Fred Strong, and Mayor Steven Martin (Gregory and Hamon absent).

CLOSED SESSION ITEM - ADDED BY ADDENDUM TO RECESSED MEETING

- **Conference with Real Property Negotiators**

Pursuant to Government Code Section 54956.8

Property: 2930 Union Road, Paso Robles, CA 93446

City Negotiator: Thomas Frutchey, City Manager

Under Negotiation: Price and terms of payment

PUBLIC COMMENT REGARDING CLOSED SESSION MATTERS

WEDNESDAY, JUNE 5, 2019 - 6:30PM

RECONVENED TO OPEN SESSION AND CALLED TO ORDER RECESSED MEETING

ROLL CALL Councilmembers Maria Garcia, Fred Strong, and Mayor Steven Martin (Gregory and Hamon absent; they had previously recused themselves from participating in the consideration of short-term rentals due to a conflict of interest with ownership interest in short-term rentals as noted by the Mayor prior to opening the public hearing).

PLEDGE OF ALLEGIANCE

STAFF AND COMMISSIONER INTRODUCTIONS

REPORT FROM CLOSED SESSION – No reportable action.

GENERAL PUBLIC COMMENTS. None

PUBLIC HEARING

1. [Revised Short-Term Rental Ordinance Zoning Code Amendment \(ZC 15-006\) – An Amendment to the Zoning Code to Add Provisions Regulating Short-Term Rentals in All Zoning Districts Throughout the City](#)

PUBLIC COMMENT. Yvonne Phillips, Sharon Roden, George Avina, Mark McConnell, Vickie Jeffcoach, Heather Taber, Michael Turner, Bill Loar, Tracy Danterman, Michael Seden-Hansen, Jessica Fullerton, Casey Shepherd, Katrina Keatts, Sheryl Stuetzel, Dan Larson, Joel Bergvall, Beth Burk, Daoln Stephenson, Darrel Cooper, Andrew Pekema, Edgar Chen, Ben Haskinson, Andrea Laubscher, Chris Snyder, Willie Storms, Tony Gaspar, Kirk Maccagno, Gary Duniven, Mitchell Culver, Lisa Maccagno, Ken Robertson, Faye Duniven, Francisco Ramirez, Carol Janssen, Mark Willie, Liz Lee, Raymond Hardie, Vince Vanderlip.

A series of motions were made that either died for lack of a second or failed to garner the three affirmative votes necessary for passage.

ROLL CALL VOTE. Motioned by Councilmember Garcia and seconded by Councilmember Strong and passed 3-0 (Hamon and Gregory absent due to conflicts of interest) to introduce an Ordinance for first reading, adding a new Chapter 21.34 to the municipal code that:

- Requires residential property owners to obtain a permit and a business license tax certificate prior to operating a short-term rental;
- Defines “short-term rentals” to mean and include both hosted “homeshare” and “non-hosted accommodations” rented for residential occupancy for terms of 30 days or less;
- Allows permits to operate a homeshare in all zoning districts, with no limit on the number of homeshare permits to be issued. A homeshare means the owner both resides and remains on the premises when it is rented as a short-term rental, provided that owners may use the property as a non-hosted short-term rental for up to 30 days out of the year.
- Prohibits non-hosted accommodations, meaning not occupied by the owner or an authorized agent while being rented, in the R-1 Zoning District. The proposed Ordinance authorizes the City Council, by separate resolution, to establish a two-year period for phase out of existing short-term rentals in the R-1 Zone and to establish caps on the number of non-hosted accommodation permits outside of the R-1 zone.

The Ordinance further establishes the application criteria, renewal process, and permit conditions imposed on short-term rental permits; imposes occupancy and guest limits for each short-term rental property; establishes creation of a non-emergency short-term rental hotline for receiving and processing complaints; and defines the enforcement mechanisms and penalty provisions for violations of the ordinance. New Chapter 21.34 will expire within 3 years of the effective date after its adoption, unless reviewed and extended or amended by future action of the City Council. The Ordinance makes certain other conforming changes to the zoning code to reflect the inclusion of short-term rental permits, and repeals Part II of Chapter 21.15 regarding Bed and Breakfast Establishments which are now proposed to be included, without substantial change, in new Chapter 21.34.

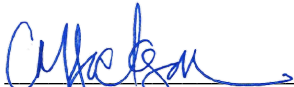
AYES: Garcia, Strong, Martin

ABSENT: Hamon, Gregory

ADJOURNMENT of the June 5, 2019 regular City Council meeting at 11:31PM.

Motioned by Councilmember Strong and seconded by Councilmember Garcia and passed 3-0 (Gregory and Hamon absent) by voice vote to adjourn to the June 18, 2019 regular City Council meeting.

Submitted by:



Caryn Jackson, Deputy City Clerk

Approved: June 18, 2018