

CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

PASO ROBLES CITY COUNCIL MINUTES

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

Tuesday, June 18, 2019

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

5:00 PM – CALLED TO ORDER

ROLL CALLED Councilmembers Maria Garcia, Steve Gregory, Fred Strong, and Mayor Steven Martin.
Councilman John Hamon was absent.

CLOSED SESSION ITEMS

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

Pursuant to Government 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

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

Pursuant to Government Code Section 54957.6

City Negotiator: Thomas Frutchey, City Manager
Employee Organizations: Unrepresented Management
Unrepresented Part-time Employees
Service Employees International Union
Paso Robles Police Association
Paso Robles Professional Firefighters

- **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
Negotiating Parties: Van Scherpe
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
Negotiating Parties: Delphia Connella Family Trust
Under Negotiation: Price and terms of payment

- **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
Negotiating Parties: State of California
Under Negotiation: Price and terms of payment

PUBLIC COMMENT REGARDING CLOSED SESSION MATTERS – None.

RECESSED TO CLOSED SESSION

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

PLEDGE OF ALLEGIANCE

INVOCATION Barbara R. Miller, St. James Episcopal Church

ROLL CALLED Councilmembers Maria Garcia, Steve Gregory, Fred Strong, and Mayor Steven Martin.
Councilmember John Hamon was absent

STAFF AND COMMISSIONER INTRODUCTIONS

REPORT FROM CLOSED SESSION – No reportable action

PRESENTATIONS

1. [Capital Projects Report](#)

Capital Projects Engineer Ditas Esperanza and Maintenance Superintendent Freda Berman reported on Capital Projects under their purview.

GENERAL PUBLIC COMMENTS. Greg Grewal and Cody Ferguson

AGENDA ITEMS TO BE DEFERRED. Consent Calendar item #8

CONSENT CALENDAR

2. [Approve City Council Minutes from June 4 & 5, 2019](#)

3. [Receive Warrant Requests](#)

4. [Receive Advisory Body Minutes](#)

Parks and Recreation Advisory Committee Minutes (5/13/19)

5. [Read by title only and adopt ordinance XXXX N.S. regarding Short-Term Rental Ordinance Zoning Code Amendment \(ZC 15-006\)](#)

Pulled for discussion.

6. [Award Contract for Median/Parkway Landscape Maintenance](#)

7. [Read by title only and adopt Ordinances approving updates and revisions to Title 3, Revenue and Finance and Title 5, Business Licenses](#)

Pulled for discussion.

8. [Approve Airport Hangar Lease – 5070 Wing Way](#)

Continued to future date uncertain.

9. [Adopt Resolution 19-063 approving the FY 2019-20 Comprehensive Fee Schedule](#)

10. [Airport Land Lease – Jay Hamon](#)

11. [Award of Auditing Services Contract](#)

12. [Adopt Resolution 19-064 approving an application for Statewide Park Development and Community Revitalization Program Grant Funds for Sherwood Park](#)

13. [Renew Support Services Contract with Dixon Resources Unlimited](#)

14. [Adopt Resolution 19-065 approving modifications to certain job classifications and reclassifying certain job positions to match work needs within the organization](#)

15. [Contract with Liebert Cassidy Whitmore for Labor Agreement Representation](#)

16. [Confirmation of Sarah Johnson-Rios's Appointment as Assistant City Manager](#)

17. [Buena Vista Drive Culvert Repair](#)

18. [Contract for Bank Custody Services](#)

19. [Adopt Resolution 19-066 approving the first amendment to Property Exchange Agreement between Zen Paso Robles LLC, owner of 1955 Theatre Drive/River Lodge Motel and City, owner of property located at the Southeast Corner of SR 46W and Theatre Drive](#)

PUBLIC COMMENT. Michael Rivera

CONSENT CALENDAR ROLL CALL VOTE. Motion by Councilmember Gregory, seconded by Councilmember Strong, and passed 4-0 to approve items 2-4, 6 and 9-19.

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

20. [Amending Paso Robles Municipal Code, Title 14, Water and Sewers](#)

PUBLIC COMMENT. None

ROLL CALL VOTE. Motion by Councilmember Strong, seconded by Councilmember Gregory, and passed 4-0 to approve introduce for first reading by title only, an ordinance approving updates and revisions to Title 14, Water and Sewer, of the Paso Robles Municipal Code.

AYES: Strong, Gregory, Garcia and Martin

ABSENT: Hamon

21. [Variance \(19-01\), Oak Tree Removal Permit \(OTR 19-10\) at 60 15th Street \(Scott and Renee Meznarich\)](#)

PUBLIC COMMENT. Dale Gustin

ROLL CALL VOTE. Motion by Councilmember Strong, seconded by Councilmember Garcia, and passed 3-0 to adopt Resolution 19-067 approving Variance 19-01, subject to site specific conditions of approval, and adopt Resolution 19-068 approving Oak Tree Removal 19-10, subject to replacement requirements.

AYES: Strong, Garcia and Martin

ABSTAIN: Gregory

ABSENT: Hamon

Councilmember Gregory recused himself due to a conflict of interest and left the room at 7:05pm. He returned at 7:14pm after action was taken on this issue.

CONVENED THE CITY OF PASO ROBLES GROUNDWATER SUSTAINABILITY AGENCY BOARD

ROLL CALLED Board of Directors Maria Garcia, Steve Gregory, Fred Strong, and Mayor Steven Martin, John Hamon (ABSENT)

22. [Draft Groundwater Sustainability Plan Chapters 9-12](#)

PUBLIC COMMENT. Dale Gustin, Gary Duniven, Cody Ferguson and Patty Smith

ROLL CALL VOTE OF BOARD OF DIRECTORS. Motion by Board member Strong, seconded by Board member Gregory, and passed 4-0 to approve GSA Resolution 19-002 acknowledging that the GSA Board has received and filed draft Chapters 9 through 12 of the Groundwater Sustainability Plan, including any desired changes and/or comments.

AYES: Strong, Gregory, Garcia and Martin

ABSENT: Hamon

ADJOURNED THE CITY OF PASO ROBLES GROUNDWATER SUSTAINABILITY AGENCY BOARD

RECONVENED TO THE CITY OF PASO ROBLES CITY COUNCIL

PUBLIC HEARINGS

23. [Proposed Business Success Center at 1345 Park Street](#)

PUBLIC COMMENT. Judy Mahan, Dale Gustin, Lynne Gamble, Gary Duniven, Michael Rivera, Russell Baker, Eric Hormann, Patty Smith, Chrystal Bradshaw, Carol Janssen, and Francisco Ramirez

ROLL CALL VOTE. Motion by Councilmember Strong, seconded by Councilmember Gregory, and passed 4-0 to:

1. Authorize the City Manager to execute the 1345 Park Street lease, pending approval of all terms and completion of necessary documents with Kaldera Collective LLC (The Sandbox).
2. Receive Economic Incentive Report regarding proposed economic incentive loan of up to \$395,000 to Kaldera Collective LLC with up to \$99,500 related to a proposed business success center at 1345 Park Street and tenant improvements for the business success center;
3. Authorize the City Manager to enter into a sublease with the Kaldera Collective LLC for a business success center at 1345 Park Street in a form approved by the City Attorney;
4. Authorize the City Manager to execute the necessary agreements for the economic incentive loan, including the Loan Agreement and Security Agreement.
5. Authorize the City Manager to make any minor, non-substantive edits to the leases and agreements, as approved by the City Attorney; and
6. Provide any necessary additional direction to the City Manager, City Attorney, and other members of the negotiation team regarding the Business Success Center effort.

AYES: Strong, Gregory, Garcia and Martin

ABSENT: Hamon

DISCUSSION ITEMS

24. [Approval of FY 2019-20 Budget Adjustments and General Fund Appropriation \(Gann\) Limit](#)

PUBLIC COMMENT. Michael Rivera

ROLL CALL VOTE#1. Motion by Councilmember Gregory, seconded by Councilmember Strong, and passed 4-0 to approve Resolution 19-069 amending the Budget for Maintenance and Operations and Capital Appropriations for FY 2019-20, as presented, with Council-directed adjustments, for all funds and for all expenditures, and to direct the City Manager to implement the budget.

AYES: Gregory, Strong, Garcia and Martin

ABSENT: Hamon

ROLL CALL VOTE#2. Motion by Councilmember Gregory, seconded by Councilmember Strong, and passed 4-0 to approve Resolution 19-070 approving an appropriation limit of \$52,805,454 for the fiscal year 2019-20.

AYES: Gregory, Strong, Garcia and Martin

ABSENT: Hamon

ITEMS PULLED FROM CONSENT AGENDA FOR DISCUSSION

7. [Read by Title Only and Adopt Ordinances approving updates and revisions to Title 3, Revenue and Finance and Title 5, Business Licenses](#)

PUBLIC COMMENT. Michael Rivera

ROLL CALL VOTE. Motion by Councilmember Strong, seconded by Councilmember Gregory, and passed 4-0 to read by title only, and adopt five ordinances approving updates and revisions to Title 3, Revenue and Finance and Title 5, Business Licenses, of the Paso Robles Municipal Code:

- Ordinance 1076 N.S. amending Chapter 5.04 (Business License Tax), re-numbering and moving this chapter to Title 3 (Revenue and Finance), and re-naming Title 5 (Business Licenses) to "Permits and Regulations";
- Ordinance 1077 N.S. amending Chapter 5.06 (Transient Occupancy Tax), re-numbering and moving this chapter to Title 3 (Revenue and Finance);
- Ordinance 1078 N.S. amending Chapter 5.12 (Closing Out Sales);

- Ordinance 1079 N.S amending Chapter 5.41 (Denial and Revocation of Licenses), re-naming, re-numbering and moving this chapter to Title 3 (Revenue and Finance); and
- Ordinance 1080 N.S repealing Chapters 5.16 (Fortune Telling), 5.20 (Jewelry Auctions), 5.44 (Community Antenna Television Systems), and Chapter 5.48 (Cable Television Franchise Regulations).

AYES: Strong, Gregory, Garcia and Martin

ABSENT: Hamon

5. [Read by Title Only and Adopt Ordinance XXXX N.S. regarding Short-Term Rentals, Zoning Code Amendment \(ZC 15-006\)](#)

PUBLIC COMMENT. Cody Ferguson, Soren Christensen, Crystal Bradshaw, Gary Brown, Barbara DeWitt, Wendy McIntire, Michael Rivera, Gary Duniven, Gary Marshall, Tom Maciel, Mark McConnell, Beth Burk, Josh Cross, Craig Sturges, Katrina Keatts, Francisco Ramirez, Patty Smith, Tim Smith, Lisa Maccagno, Liz Lee, Carolyn Dismure, Jordan Florentine, Robert Elzer, Armin Bandari, Dan Jones, Carol Janssen, and Samantha Loring.

ROLL CALL VOTE. Motion by Mayor Martin, seconded by Councilmember Garcia, and passed 3-0 to:

Direct staff to develop an ordinance amending the City's Zoning Code to regulate short-term rentals in all zoning districts throughout the City, bringing the draft back for first reading on July 16, 2019. The new version of the ordinance will be based on the proposal developed by the Short-term Rental Task Force, with some of the amendments developed by the Planning Commission and further amendments as directed by the City Council. It will grandfather all existing non-hosted accommodations in the R-1 zone, and seek to reach a maximum of 75 in the next three years. It requires the Council to review the status of the industry in one year and two years from now, and specifies that the ordinance will expire, if not modified or replaced, in three years.

AYES: Martin, Garcia and Strong

ABSTAINED: Gregory

ABSENT: Hamon

Councilmember Gregory recused himself due to conflict of interest and left the room at 9:30pm. He did not return to the meeting.

COUNCIL BUSINESS & COMMITTEE REPORTS

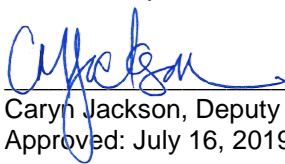
25. Current Council Committee Activities and Reports

Councilmember reported on committee activities and other City related issues.

ADJOURNMENT of the June 18, 2019 regular City Council meeting at 11:49 PM.

Motion by Mayor Martin, seconded by Councilmember Strong, and passed 3-0 (Hamon and Gregory absent) by voice vote to adjourn, in honor of Neil Olson, to the July 16, 2019 regular City Council meeting.

Submitted by:



Caryn Jackson, Deputy City Clerk

Approved: July 16, 2019