



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

CITY COUNCIL MINUTES
Tuesday, March 3, 2015

**PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK**

PLEASE REFRAIN FROM CELL PHONE USE DURING THE MEETING - PLEASE TURN RINGER OFF

5:00PM – CLOSED SESSION

City Hall, 2nd Floor
Large Conference Room
1000 Spring Street, Paso Robles

Conference with Legal Counsel (existing litigation - 2 cases)

Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9

1. *City of Paso Robles v. Quorum Realty Fund IV, LLC*, San Luis Obispo County Superior Court Case No. 14CVP-0125
2. *Quorum Realty Fund IV LLC v. City of Paso Robles*, San Luis Obispo County Superior Court Case No. 14CVP-0174

No Reportable action

7:30 PM – CONVENE REGULAR MEETING

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

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION – Pat Sheean

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

STAFF INTRODUCTIONS

PRESENTATIONS – NONE

PUBLIC COMMENTS

THE PUBLIC MAY ADDRESS COUNCIL ON ITEMS OTHER THAN THOSE SCHEDULED ON THE AGENDA AT THIS TIME.

- Ryan and Adam Greenlee spoke about Youth Commission activities.

AGENDA ITEMS TO BE DEFERRED (None)

PUBLIC HEARING

1. [2015 Community Development Block Grant \(CDBG\) Program](#)
W. Frace, Community Development Director

For the City Council to conduct a noticed public hearing and decide which activities are to be approved for funding with the City's 2015 Community Development Block Grant (CDBG) funds.

Mayor Martin opened the public discussion. Speaking from the public were James Patterson, Eloisa Medina, Charlotte Byrne, Carolyn London, Robin Smith, and Bill Watt. There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Gregory and seconded by Councilman Hamon to adopt Resolution 15-018 to allocate the City's allotment of 2015 CDBG funds as follows:

Public Facilities: Handicap Ramps	\$ 124,453
Public Services Activities: El Camino Homeless Organization (ECHO)	\$ 28,720
Capacity Building (an administrative use of CDBG funds).....	\$ 19,146
Administration	\$ 19,146
Total	\$ 191,465

Please note that initially the City was expecting to receive \$164,795, however, the City was notified by the County after publication of this agenda that HUD had released the final allocations, and the City would be receiving \$191,465 in 2015 CDBG funds.

Motion passed by the following roll call vote:

AYES: Gregory, Hamon, Martin
NOES: Reed, Strong
ABSTAIN:
ABSENT:

2. [2015 Consolidated Plan and Federal Grant Programs](#)

W. Frace, Community Development Director

For the City Council to conduct a noticed public hearing and make a recommendation to the County Board of Supervisors regarding the 2015 Annual Action Plan with respect to those activities to be funded with the County's 2015 allotments of Federal Home Investment Partnership Act (HOME) and Emergency Shelter Grant (ESG) funds.

Mayor Martin opened the public discussion. There were no comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Strong and seconded by Councilman Gregory to adopt Resolution 15-019 to recommend that the County Board of Supervisors adopt the Draft 2015 Annual Action Plan and its recommended allocations of 2015 HOME and ESG Funds.

Motion passed by the following roll call vote:

AYES: Strong, Gregory, Hamon, Reed, Martin
NOES:
ABSTAIN:
ABSENT:

CONSENT CALENDAR

ITEMS ON THE CONSENT CALENDAR ARE CONSIDERED ROUTINE, NOT REQUIRING SEPARATE DISCUSSION.

- [Approve City Council Minutes from February 17 and February 19, 2015](#)**
D. Fansler, City Clerk
- [Approve Warrant Registers 5314-5453 \(2/13/15\), 5454-5540 \(2/20/15\), and other payroll services](#)**
J. Throop, Director of Administrative Services
- [Advisory Body Minutes](#)**
Library Board (January 8, 2015)
- [Receive and File Economic Development Committee Minutes from January 29, 2015](#)**
M. Williamson, Assistant City Manager
- [Adopt Resolution No. 15-020 declaring certain City property as surplus and authorizing their sale to recyclers, wholesalers or by public auction, bid or sale.](#)**
J. Throop, Administrative Services Director
- [Re-appoint Beatriz Espinoza and appoint Wes Willhoit to the Housing Authority for four year terms which will expire on February 28, 2019.](#)**
W. Frace, Community Development Director

Consent Calendar items 3 through 8 were approved on a single motion by Councilman Strong and seconded by Councilman Hamon.

Motion passed by the following roll call vote:

AYES: Strong, Hamon, Gregory, Reed, Martin

NOES:

ABSTAIN:

ABSENT:

DISCUSSION

9. [Supplemental Sales Tax Road Repairs](#)

C. Halley, Interim Public Works Director

For City Council to review Street Maintenance priorities adopted by City Council in Resolution No. 13-031.

Mayor Martin opened the public discussion. There were no comments, either written or oral, and the public discussion was closed.

1st Motion

A motion was made by Councilman Hamon to continue this item to a future date. Motion died for lack of second.

2nd Motion

A motion was made by Councilman Strong, seconded by Councilman Gregory to adopt five-year street maintenance project priorities as established by City Council on March 5, 2013 and July 2, 2013, modified directing staff to bring back options for preventative pavement surface maintenance and establish a policy that captures any saved funds for such use.

Motion passed by the following roll call vote:

AYES: Strong, Gregory, Hamon, Reed, Martin

NOES:

ABSTAIN:

ABSENT:

10. [Landscape and Lighting Balloting Services – District Reorganization](#)

C. Halley, Interim Public Works Director

For City Council to consider amending its contract with Willdan Financial Services for landscape and lighting re-engineering services and to authorize support for public outreach for re-balloting in 2016.

Mayor Martin opened the public discussion. There were no comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Gregory and seconded by Councilman Strong to adopt Resolution 15-021 allocating \$57,000 from District funds for re-balloting services, amended to direct staff to work on Zone 4 – Riverbank as the first priority before finalizing the remainder of the District assessments, and authorize the City Manager to:

- Enter into a contract amendment with Willdan Financial Services in the amount of \$90,875;
- Schedule any proposed re-balloting for 2016, and;
- Retain professional services to assist with public outreach not to exceed \$35,000;

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

NOES:

ABSTAIN:

ABSENT:

11. Establishment of Stand-By Pay for Acting Battalion Chief

M. Williamson, Assistant City Manager

For the City Council to approve a side letter with the Paso Robles Professional Firefighter’s Local 4148 to enact temporary standby pay for Acting Battalion Chief assignments.

Mayor Martin opened the public discussion. There were no comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Strong and seconded by Councilman Hamon to adopt Resolution No. 15-022 authorizing the City Manager to execute the Stand-By Pay Side Letter with the Paso Robles Professional Firefighter’s Local 4148.

Motion passed by the following roll call vote:

AYES: Strong, Hamon, Gregory, Reed, Martin

NOES:

ABSTAIN:

ABSENT:

COUNCIL BUSINESS & COMMITTEE REPORTS

12. Current Council Committee Activities Reports

a. Phillips 66 Refinery Rail Project (F. Strong)

Councilman Strong presented an oral and written report about the Phillips 66 rail issue (attached).

A motion was made by Councilman Gregory and seconded by Councilman Strong to adjourn the regular meeting.

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

ADJOURNMENT OF REGULAR MEETING AT 9:14PM TO:

- SHERWOOD PARK SATURDAY, MARCH 7, 2015 FOR THE OPENING DAY OF YOUTH BASEBALL.
- REGULAR PLANNING COMMISSION MEETING - 7:30PM ON TUESDAY, MARCH 10, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- PUBLIC WORKSHOP: RECESSION RECOVERY PLAN – 6:00PM ON WEDNESDAY, MARCH 11, 2015, IN THE PUBLIC SAFETY CENTER CONFERENCE ROOM (EOC), 900 PARK STREET, PASO ROBLES
- REGULAR CITY COUNCIL MEETING - 7:30PM ON TUESDAY, MARCH 17, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.

Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the City Council after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the City Clerk’s Office, 1000 Spring Street, Paso Robles, CA, during normal business hours, and may be posted on the City’s web site at <http://www.prcity.com/government/citycouncil/agendas.asp> .

All persons desiring to speak on an agenda item are asked to fill out Speaker Information Cards and place them at the Staff Table prior to public discussion of that item. Each individual speaker will be limited to a presentation total of three (3) minutes per item.

AMERICANS WITH DISABILITIES ACT Any individual, who because of a disability needs special assistance to attend or participate in this meeting, may request assistance by contacting the City Clerk’s Office (805) 237-3960. Whenever possible, requests should be made four (4) working days in advance of the meeting.

Submitted by:

Caryn Jackson, Deputy City Clerk
 Approved: March 17, 2015

Report by Mayor Pro Tem Fred Strong,
City of El Paso de Robles,
On the Santa Maria Refinery Rail Project and considerations for
The City of El Paso de Robles ... Supplemental Report
3-3-15

This afternoon I had a conference call with the Federal Rail Administration, a division of the U.S. Department of Transportation. Its attorney, Robert Lauby, in charge of developing rules for crude oil shipment by rail indicated that the rules are being finalized by the Administration's Office of Management and Budget (OMB).

Before the rules are made final he cannot say anything more than that all elements of rail transportation are being considered for changes regarding tank car rules. Those elements include improvements to rail cars, brakes, track and other control elements.

We are welcome to engage the OMB on suggestions made in my initial report. However, when I informed him of my conversation with Maggie Cox, representing this project, and changes to it. He advised that our risk factor was dramatically reduced when Phillips 66 took Bakken crude oil off the table recently.

Union Pacific had already indicated to me that the Santa Maria Refinery was not equipped to handle pure Bakken crude oil and could only do so if it was blended with other crudes. Fewer than six cars a year were anticipated in any event.

Bakken crude oil is a clear liquid with large amount of natural gas encapsulated within what is actually naturally refined diesel fuel. Bakken crude can be filtered and used, as is, as diesel fuel.

He informed me that the small city in West Virginia near where the recent derailment took place had a noise ordinance in place that required all trains going through that city to reduce speed to 30 m.p.h. for noise reduction purposes. The FRA does not object to that type of local control.

The derailment took place two miles past that city as the train was accelerating to 50 m.p.h.

Based upon the responses I've received from the stakeholders I've spoken with I would recommend that Paso Robles accept the offer from Union Pacific to train our safety personnel in the handling of potential incidents, write a letter of our concerns to the OMB (including a request to consider a limitation on how many units of crude can be part of any single train unit) as soon as possible and amend our noise ordinance to specifically address noise related to trains traveling through our city.

I have not been able to communicate with the California Department of Transportation Division of Rail as yet. I do not believe it would change my recommendation.