



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL MINUTES

Tuesday, April 21, 2015

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### 5:00 PM – CLOSED SESSION

Paso Robles City Hall Large Conference Room  
1000 Spring Street, 2<sup>nd</sup> Floor, Paso Robles

- **Meet and Confer  
Conference with Labor Negotiator**  
Government Code Section 54957

City Negotiator: William Avery & Avery Associates  
Employee Organizations: Service Employees International Union (SEIU)  
International Association of Firefighters (IAFF)  
Police Officers Association (POA)  
Unrepresented Management  
Unrepresented Part-time Employees

*No reportable action.*

### CITY COUNCIL RECESSED TO REGULAR CITY COUNCIL MEETING at 6:25PM

### 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

1. [125<sup>th</sup> Anniversary Celebration Review by Quasquicentennial co-chairs Dee Lacey and Frank Mecham, and Proclamations of Appreciation.](#)

Dee Lacey presented a Powerpoint program reporting on the 125<sup>th</sup> Anniversary Celebration activities. She also gave thanks to all who helped make the events a success.

Mayor Martin presented proclamation to Dee Lacey and Frank Mecham recognizing them for their contribution to the Quasquicentennial as co-chairs.

2. [Proclamation – Volunteer Appreciation – National Volunteer Week \(April 12-18, 2015\).](#)

Mayor Martin presented a proclamation to representatives from the Volunteers of Paso Robles recognizing them for their contribution to the community.

3. [Mayor Martin, along with Councilman Hamon and Councilman Gregory, displayed a gift they received from Michele Pescini, the Mayor of the Comune di Gaiole in Chianti, Italy, at the Eroica Bicycle Event.](#)

## **PUBLIC COMMENTS**

This is the time the public may address the Council on items other than those scheduled on the agenda.

- Karl Hansen spoke on a proposed increase in train traffic hauling crude oil through the City.
- Tina Lau Library Board of Trustees spoke about Library activities.
- Mary Uebersax introduced Diepum Monk Tove from the organization Geshe Twsang Thinley who spoke briefly regarding the purpose of his time here in the United States.
- Trina Marlen spoke about Centennial Pool.
- Steve Fleury and Susan DeCarli spoke about an upcoming Cycling event.

## **AGENDA ITEMS TO BE DEFERRED (NONE)**

## **PUBLIC HEARING - NONE**

## **CONSENT CALENDAR**

Items on the Consent Calendar are considered routine, not requiring separate discussion.

4. [Approve City Council Minutes from April 7, 2015](#)  
D. Fansler, City Clerk
5. [Approve Warrant Registers](#)  
J. Throop, Director of Administrative Services
6. [Advisory Body Minutes](#)  
Supplemental Tax Advisory Committee (January 14, 2015)  
Airport Advisory Committee (February 26, 2015)  
Library Board of Trustees (March 12, 2015)
7. [Adopt Resolution No. 15-034 appropriating \\$103,464 through Fiscal Year 16/17, to provide landfill engineering and monitoring services until through the first quarter of 2017 and authorize the City Manager to amend the City's agreement with Golder Associates, Inc. contract in that amount.](#)  
C. Halley, Interim Public Works Director
8. **Pulled for discussion.**
9. [Adopt Resolution No. 15-035 approving and authorizing the execution of the Utility Easement Agreement with New Cingular Wireless PCS, LLC.](#)  
J. Throop, Administrative Services Director
10. [Adopt Resolution No. 15-036 approving and authorizing the execution of the Utility Easement Agreement with T-Mobile West, LLC.](#)  
J. Throop, Administrative Services Director
11. [Initiate proceedings for the annual levy of the Landscape & Lighting District and Drainage Maintenance District 2008-1 for fiscal year 2015-2016, and adopt the following resolutions:](#)
  - 1) Resolution No. 15-037: Initiating Proceedings for the Annual Levy for the Maintenance of Landscape & Lighting District facilities;
  - 2) Resolution No. 15-038: Initiating Proceeding for the Annual Levy for the Maintenance of Drainage District facilities;
  - 3) Resolution No. 15-039: adopting the Draft Preliminary Landscape and Lighting District Engineer's Levy Report as presented and making it available to the public for review and comment;
  - 4) Resolution No. 15-040: adopting the Draft Preliminary Drainage District Engineer's Levy Report as presented and making it available to the public for review and comment;
  - 5) Resolution No. 15-041: declaring the Intent to Levy for Maintenance of the Landscape and Lighting District facilities and cause a Notice to be published for a Public Hearing to be scheduled May 19, 2015.
  - 6) Resolution No. 15-042: declaring the Intent to Levy for Maintenance of the Drainage Maintenance District facilities and cause a Notice to be published for a Public Hearing to be scheduled May 19, 2015.

Councilman Gregory asked that item 8 be pulled for discussion.

Consent Calendar items 4-7 and 9-11 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

### 12. [Council Goals for Fiscal Years 2016-2017](#)

J. App, City Manager

For the City Council to confirm top goals for Fiscal Years 2016-2017.

A motion was made by Councilman Strong and seconded by Councilman Gregory to confirm Adopted Goals for Fiscal Years 2016-2017.

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

Motion passed by the following roll call vote:

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

### 13. [Housing Constraints](#)

W. Frace, Community Development Director

For the City Council to consider a memo from the Planning Commission recommending policy changes to reduce "Constraints on Housing Inventory."

Mayor Martin opened the public discussion. Speaking from the public were Karl Hansen, Dale Gustin, Lynn Gamble, Larry Werner and Norm Moye. There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Strong and seconded by Councilman Martin to Receive and file the memorandum.

#### 1<sup>st</sup> Motion

Motion failed by the following roll call vote:

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

#### 2<sup>nd</sup> Motion

A motion was made by Councilman Hamon and seconded by Councilman Gregory directing staff to bring back an agenda item and staff report suggesting formation of an Ad Hoc Committee to further discuss this issue.

Motion passed by the following roll call vote:

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

### 14. [Impact Fees for Small Residential Units and Assisted Living Facilities](#)

W. Frace, Community Development Director

For the Council to consider special impact fees for studio and one-bedroom live-work apartment units in the Uptown-Town Centre Plan, and for assisted living facilities throughout the City.

Mayor Martin opened the public discussion. Speaking from the public were Dale Gustin and Larry Werner. There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Hamon, seconded by Councilman Gregory to authorize the City Manager to execute a contract with David Taussig & Associates, not to exceed the amount of \$7,500, to amend the 2014 Justification Study for the AB 1600 Fee Program and to adopt Resolution No. 15-043 appropriating these funds.

Motion passed by the following roll call vote:

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

**15. [Centennial Park Gymnasium Repair](#)**

C.Halley, Interim Public Works Director

For City Council to consider a contract to repair the Centennial Park Gymnasium exterior stucco walls.

Mayor Martin opened the public discussion. Speaking from the public was Dale Gustin. There were no other 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 No. 15-044:

- (1) Allocating \$142,065 to Budget No. 1003201F-52210-CXXXX from the City/Facility Repair fund, and;
- (2) Relieving Leo's A-C Inc. from their bid pursuant to the Relief of Bidder statutes (Public Contract Code section 5100 et seq.) due to a clerical bid error affecting the amount of their bid; and
- (3) Rejecting R.F. Koerber Inc.'s bid as non-responsive due to their failure to submit the required Bid Addendum No. 1; and
- (4) Authorizing the City Manager to enter into a contract with Newton Construction & Management, Inc. in the amount of \$135,300 to repair the Centennial Park Gymnasium.

Motion passed by the following roll call vote:

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

**COUNCIL BUSINESS & COMMITTEE REPORTS**

**16. [Correspondence/Request from Homeless Services Oversight Council](#)**

Council agreed to have this item placed on a future agenda.

**17. Current Council Committee Activities Reports (if any)**

Reports were presented by Councilmen and the mayor. Councilman Strong's Activity Report from 4/7 to 4/21, attached.

**ITEMS PULLED FROM THE CONSENT CALENDAR**

**8. [Adopt a resolution consenting to the assignment of the professional services agreement from Kennedy/Jenks Consultants to Water Consultancy, Inc.](#)**

C. Halley, Interim Public Works Director

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 No. 15-045 consenting to the assignment of the professional services agreement from Kennedy/Jenks Consultants to Water Consultancy, Inc.

Motion passed by the following roll call vote:

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

**ADJOURNMENT**

A motion was made by Councilman Gregory, seconded by Councilman Hamon to adjourn the regular meeting.

Motion passed by the following roll call vote:

AYES: Gregory, Hamon, Reed, Strong, Martin

## ADJOURNMENT OF REGULAR MEETING AT 10:41PM TO:

- BUILDING PERMIT AUDIT WORKSHOP – 6:00PM ON WEDNESDAY, APRIL 22, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- REGULAR PLANNING COMMISSION MEETING - 7:30PM ON TUESDAY, APRIL 28, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- ADJOURNED REGULAR CITY COUNCIL MEETING: ADVISORY BODY INTERVIEWS AND APPOINTMENTS – 6:00PM ON THURSDAY, APRIL 30, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- ANNUAL SENIOR VOLUNTEER OF THE YEAR BBQ – 11:00AM ON SATURDAY, MAY 2<sup>ND</sup>, 2015 AT THE PASO ROBLES SENIOR CENTER, 270 SCOTT STREET, PASO ROBLES.
- REGULAR CITY COUNCIL MEETING - 7:30PM ON TUESDAY, MAY 5, 2015 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.

Submitted by:

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Caryn Jackson, Deputy City Clerk  
Approved: May 5, 2015

*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 [www.prcity.com/government/citycouncil/agendas.asp](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.*

**City of El Paso de Robles Mayor Pro Tem Fred Strong's  
Activity Report Summary 4/7 - 4/21/15**

**Board of Directors Meeting of CALCOG on Wednesday, April 8, in Monterey:**

The Board reviewed and initiated suggestion results from the November 2014 retreat. Including a committee appointment for determining staffing procedures beyond July 2015. A decision will be made in June as to whether we will continue with contract staff or will employ them.

Dues alterations were also considered and will be part of the June decision process regarding contracts with the State to improve local control of State mandates and a State funding stream. Recent legal decisions have determined that only advocacy efforts cannot be paid by State allocated money. Educational and operational efforts can be paid from State or taxpayer allocations.

A general discussion was also held on principles underlying the funding of transportation, including streets, roads, bridges, highways and public transit.

At that point I turned my seat over to Supervisor Debbie Arnold, my alternate to CALCOG to represent our views as I had to catch a shuttle to the airport.

**Housing, Community and Economic Development Policy Committee of the League of California Cities, Thursday, April 9:**

I chaired the meeting of the 55 person committee beginning at 10 a.m.. We received and discussed legislation updates regarding affordable housing, Veterans' housing loans, homeless rights and transitional housing proposals, a pilot program for new market tax credits, oil by rail and proposals regarding additional redevelopment dissolution requirements and restrictions. We generally endorsed the current policies and staff's efforts to support or oppose specific Bills.

An effort to establish a sub-committee on homeless issues met opposition due to factors involving a personnel shortage and appropriateness to this committee. I offered a straw vote on establishing a sub-committee of members or referring the matter for consideration by the Board of Directors. Following the straw vote we passed a resolution referring the matter with points of our discussion to the Board of Directors for a decision.

We discussed and voted to oppose SB 379 which would require us to amend the Safety Element of our General Plans at least once every 8 years to include climate adaptation strategies to mitigate threats to the safety of our communities posed by climate change. We voted to take the stand that those considerations are already included in our Hazard Mitigation Plans. It is a waste of taxpayer money to redundantly go through the costly procedure to also put it in our General Plan.

We were briefed and discussed legislation regarding CEQA, new groundwater legislation and the Governor's proclamation on an additional 25% reduction in water use. The League is participating in a "Drought Awareness Coalition" but has numerous concerns about implementation of the Governor's mandate. One concern is the direction to develop "tiered water rates" which seems to be a violation of Proposition 218 requirements. We are asking how the State is going to address that dilemma.

Deadline for comment was four days from our meeting. Our meeting was the same day that the specifics on methodology was released. We object to such a short time period for comment but since this was issued as an "emergency" measure that is what the law allows.

Our objections included certain exclusions, the baseline chosen, the method of calculation and other things affecting specific communities. The League staff on this matter has an appointment with the Governor's Office on the deadline day to discuss our concerns. (Immediately following the meeting I called our City Manager to get our concerns included in the meeting on Monday. Mr. App referred the matter to our water manager and he and I discussed our specific issues and the message to be sent on Friday afternoon.)

Finally, we discussed and voted to oppose, unless amended, AB 1220 and SB 593 regarding vacation rentals of single family residences and apartments. One of the Bills would forbid us to charge any Transient

Occupancy Taxes (TOT) for the first 90 days of occupancy. We pointed out that beyond 90 days the occupancy is already termed as a standard rental not subject to TOT. We absolutely oppose that being in any Bill. We will only support a Bill that bolsters city interests, doesn't restrict our current authority and doesn't have any negative effect upon pending litigation such as that in Malibu.

Our next meeting is in June in Sacramento.

I missed the meeting of the Revenue and Taxation Policy Committee on Friday due to a conflict with the continuing CALCOG meeting in Monterey. However, I acquired the background information and staff positions on the issues presented.

### **CALCOG Regional Leadership Forum, Friday, April 10th in Monterey:**

The topics of this forum were timely and very important because they not only looked to the past and present but meaningfully into the future. An interesting fact that was revealed is that the standard for fuel efficiency is expected to be over 58 miles to the gallon for cars beyond 2025.

Representatives of over 28 million people were present at this meeting. Participants included major leaders from throughout California and some on the national scene as well.

We learned from Randy Iwasaki, Executive Director, about GoMomentum a national test site in Contra Costa County for driverless vehicles that test all conditions and obstacles to 100% safe driving. An estimate of 2025 was given for over 50% of all personal vehicles on the road being driverless. Also, that this will give full geographical mobility to the elderly and handicapped in the future. We may see a day in the future, due to safety considerations, where personal driving will be outlawed.

The considerations regarding future funding for our transportation infrastructure was presented by Will Kempton, Executive Director of the California Transportation Commission (CTC) and Jim Madaffer, member of the CTC, made the presentation. Kempton was previously on my Board of Directors for the Pacific Surfliner's rail corridor and previous head of CalTrans. Madaffer is a former President of the League of California Cities and Councilman from San Diego.



Their discussion was followed by CTC Commissioner Jim Earp who is also the Executive Director of the California Alliance for Jobs. He went through the methodology for education and polling of a scientifically determined cross section of the public with videoed portions of six public meetings from all over the state.

The sources of funds being considered and potentially tested are increases to the gasoline excise tax, a tax on road usage, weight fees and/or special licensing and vehicle registration fees segregated according to whether the vehicle runs on gas or diesel fuel, partially on fuel and partially on electricity or totally on electricity.

Poll results were very interesting. On a ranking of needs, #1 was repair of existing streets and roads. Second was more rail and bus availability. Third was repair of unsafe infrastructure.

65% see a need for increased funding and 75% want the sources of that increase to be diversified. A bill along these lines, by Senator Beall of San Jose, is currently pending in the State Legislature which 79% of those polled would support.

### **LOSSAN (Pacific Surfliner's managing agency) Executive Committee and Board of Directors' meeting at L.A. Union Station April 20th:**

The Executive Committee reviewed progress with CalTrans on turning over operation of the corridor to LOSSAN. Final agreements due at our June meeting for transition to begin July 1.

I brought up service to Paso Robles at that time and again at the Board meeting.

The Board reviewed grant applications and grants received in the past months. The most significant for Paso Robles is the grant that will allow a train ticket to automatically entitle rail passengers to bus service to and from the train by either RTA or AmTrack bus service at no additional cost.

We received a report on the comprehensive and united schedule change release on April 6th that integrates the schedules of the intercity trains and the many commuter train schedules in Southern California. This has been

credited by media in the East as the most efficient, comprehensive and cooperative effort regarding passenger rail in the entire United States. I'm pleased that it was initiated during my administration.

Board initiatives were briefly discussed and I proposed broadening them out to be more cooperative with neighboring and emerging jurisdictions as well as our own stakeholders. The suggestions were accepted for the draft to be considered at the May meeting.

Finally, I pointed out our corridor is primarily composed of six counties and is charged with service to those counties. It currently serves from the southern end of San Diego County to the central area of San Luis Obispo County. However, since it was formed before the depot in Paso Robles reopened it does not serve the northern end of San Luis Obispo County which contains nearly half of the year-round residents of our county. I asked that it be looked into and consideration given to extend Pacific Surfliner services northerly to include Paso Robles. My suggestion was accepted for consideration in our next action plan.

I do not expect any results from that effort for at least five years.

I will be following up on some of these things at the statewide rail conference in Sacramento next week.