



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

**CITY COUNCIL MINUTES**

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

**October 4, 2016**

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

**5:00 PM – CALL TO ORDER**

**ROLL CALL**

**PUBLIC COMMENT REGARDING CLOSED SESSION MATTERS.** None

**ADJOURN TO CLOSED SESSION**

**CLOSED SESSION**

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

Pursuant to Government Code Section 54957.6

City Negotiator: Thomas Frutchey, City Manager  
Employee Organizations: International Association of Firefighters (IAFF)  
Police Officers Association (POA)  
Service Employees International Union (SEIU)  
Unrepresented Management  
Unrepresented Part-time Employees

- **Conference with Legal Counsel – Existing Litigation (2 cases)**

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*

- **Conference with Legal Counsel – Anticipated Litigation (1 case)**

Gov. Code section 54956.9(d)(4))

**6:15 PM – ADJOURNED CLOSED SESSION**

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

**PLEDGE OF ALLEGIANCE**

**INVOCATION** – Atheists United, Kim McGrew

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

**STAFF INTRODUCTIONS**

**REPORT FROM CLOSED SESSION.** No reportable action

## PRESENTATIONS

1. [Drought Conservation Progress Report](#)

Director McKinley reported on City conservation efforts.

**PUBLIC COMMENT.** None

2. [Police Volunteer Recognition](#)

T. Frutchey, City Manager

City Manager Tom Frutchey and Police Chief Robert Burton presented Police Volunteer Marion McKie with a recognition award for her twenty-nine years of volunteerism with the Paso Robles Police Department.

**PUBLIC COMMENT.** None

**GENERAL PUBLIC COMMENTS.** Charles Varni, Linda Chimenti, Kay Gore and Lorelei Komm

**AGENDA ITEMS TO BE DEFERRED.** None

## CONSENT CALENDAR

3. [Approve City Council Minutes from 9/15/2016 and 9/20/2016](#)

4. [Approve Warrant Registers](#)

5. [Advisory Body Minutes](#)

Senior Citizen Advisory Committee (7/11/16)

Parks and Recreation Advisory Committee (8/8/16)

Airport Advisory Committee (8/11/16)

Airport Advisory Committee (9/22/16) \*Draft Minutes – Receive and File\*

6. [Airport Road Repair Contract](#)

7. [2016 Annual Slurry Seal and Crack Filling Contracts](#)

Capital Projects Engineer Ditas Esperanza read a list of streets for the annual slurry seal and crack.

8. [Approve Resolution 16-129 – Acceptance of a Public Utility Easement for the Uptown Center Building – 2238 Spring Street – Tract 3047-1 \(Rick Jeffery\)](#)

9. [Approve Resolution 16-130 – Establishing an Updated Speed Zone along Union Road from North River Road to Golden Hill Road](#)

10. [Approve Resolution 16-131 - Surplus Property](#)

11. [Read, by Title Only, Ordinance 1036 N.S. – Rezone 16-001: Repeal and Replace Section 21.33. Zoning Ordinance – Regulation of Personal, Medical and Commercial Use of Marijuana](#)

12. [Approve Resolution 16-132 – Approving use of an Onsite Wastewater Disposal System Located at 729 Renate Way \(Kendall Family Trust\)](#)

13. [Airport Lease Assignment and Assumption for Culver Brothers, LLC.](#)

14. [City Park Event Request for Posada in the Park – December 4, 2016](#)

**PUBLIC COMMENT.** None

**ROLL CALL VOTE.** Consent Calendar items 3-14 were approved on a single motion, which passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

## PUBLIC HEARINGS

### 15. [Airport Commission – Establishment and Bylaws](#)

For the City Council to introduce an ordinance to establish an Airport Commission, and its composition and authorities for a more involved role in the governance of the Municipal Airport, dissolve the Airport Advisory Committee, and call for the establishment of bylaws by resolution.

Tony Gaspar presented photos and an overview of the Paso Robles AirFest and reported on the success of the event.

Councilman Gregory and Councilman Reed each said a few words of apologies for comments they had made at the October 4 meeting.

Director of Public Works McKinley presented Council with options regarding Airport Commission Interviews. Due to an overwhelming response by applicants, City Council choose to add an additional day of interviews (3 total) to include the date of October 27<sup>th</sup> to the already approved dates of October 13<sup>th</sup> and October 20<sup>th</sup>.

**PUBLIC COMMENT.** Ron Rose, Richard Morton, Martin Caskey, Dennis Lyons, Joel Marketello, Cody Ferguson, Sherman Smoot, Steve Allen, Doug Erway, Jerry Takier, David Nutile, David Fretwell, Ken Butts, Elliot Cannon, Mitch Culver, Bill Siegel, and Mac Gleim.

**ROLL CALL VOTE #1.** Motion made by Councilman Gregory and seconded by Councilman Strong to Introduce Ordinance No. XXXX N.S. for first reading establishing Section 13.02 of Title 13 of the Municipal Code with the following amendments:

- Ordinance Language change after the word “conclusive” in section 13.02.040 to add: “as authorized by State or Federal Law.”

Motion passed by the following roll call vote:

AYES: Gregory, Strong, Hamon, Reed, Martin

**ROLL CALL VOTE #2.** Through straw votes gave a series of directives working from the Option “B” alternative of the Bylaws.

- Guidance regarding Bylaws:
  - Regarding Commission makeup: 3 or more supported bylaws that say “minimum of 4 to be Airport Stakeholders.”
  - Regarding Residency: 3 or more for minimum of 4 members (of the 7) must be Paso Robles residents.
  - Regarding Leases: 3 or more for leases to be recommended by the Commission and approved by the Council.
- Council concurred to implement a re-evaluation/review process.

### 16. [Oak Tree Removal 16-004 – Bruce Eisengart \(1803 Spring Street\)](#)

For the City Council to consider a request by Bruce Eisengart (property owner/applicant) to approve the removal of one 44-inch Valley Oak tree at 1803 Spring Street, located on the former Hometown Nursery site.

**PUBLIC COMMENT.** Chip Tamagni

**ROLL CALL VOTE.** Motion made by Councilman Strong and seconded by Mayor Martin to refer the item back to staff for additional analysis of the tree’s structural integrity.

Motion passed by the following roll call vote:

AYES: Strong, Martin, Gregory, Reed

NOES: Hamon

## DISCUSSION ITEMS – NONE

## COUNCIL BUSINESS & COMMITTEE REPORTS

### 16. Current Council Committee Activities Reports

Councilmembers reported on actions at recent committee meetings and other organizations at which they represent the Council and City.

### SPECIAL EVENTS

- LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE – 8:00AM FROM WEDNESDAY, OCTOBER 5, 2016 TO FRIDAY, OCTOBER 7, 2016 AT THE LONG BEACH CONVENTION CENTER, 300 EAST OCEAN BOULEVARD, LONG BEACH, CA.
- PIONEER DAY PARADE – 10:00AM ON SATURDAY, OCTOBER 8, 2016 IN DOWNTOWN PASO ROBLES, 16<sup>TH</sup> AND SPRING STREET TO THE DOWNTOWN CITY PARK, PASO ROBLES.
- REGULAR PLANNING COMMISSION MEETING – 6:30PM ON TUESDAY, OCTOBER 11, 2016 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.
- CITY COUNCIL AIRPORT COMMISSION INTERVIEWS – 6:30PM ON THURSDAY, OCTOBER 13, 2016 IN THE LARGE CONFERENCE ROOM/CITY HALL, 1000 SPRING STREET, PASO ROBLES.
- REGULAR CITY COUNCIL MEETING – 6:30PM ON TUESDAY, OCTOBER 18, 2016 IN THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES.

### ADJOURNMENT OF REGULAR MEETING AT 9:27 PM.

Motion made by Councilman Gregory and seconded by Councilman Hamon to adjourn the regular meeting.  
Motion passed unanimously.

Submitted by:

  
Kristen L. Buxkemper, Deputy City Clerk  
Approved: October 18, 2016