



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

PASO ROBLES CITY COUNCIL MINUTES

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

Tuesday, August 17, 2021

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

5:00 PM – CALL TO ORDER

ROLL CALL

Councilmembers Maria Garcia, Steve Gregory, John Hamon, Fred Strong, and Mayor Steven Martin

CLOSED SESSION ITEMS

- **Public Employee Appointment**

Pursuant to Government Code Section 54957

Title: City Manager

- **Conference with Labor Negotiators**

Pursuant to Government Code Section 54957.6

City Negotiator: Mayor Martin and Councilmember Hamon

Unrepresented Employee: City Manager

- **Conference with Labor Negotiators**

Pursuant to Government Code Section 54957.6

City Negotiators: Greg Carpenter, Interim City Manager

Ryan Cornell, Administrative Services Director

Employee Organizations: Unrepresented Management (including, among others, City Manager, Asst. City Manager, and Department Heads)

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: Pioneer Park City

Negotiators: Greg Carpenter, Interim City Manager

Negotiating Parties: Paso Robles Museum Foundation

Under Negotiation: Price and terms of payment

- **Conference with Legal Counsel – Anticipated Litigation**

Pursuant to Government Code Section 54956.9 and Section 54956.9(e)(1)

(2) of Significant exposure to litigation based on existing facts and circumstances, pursuant to paragraph subdivision (d) of Government Code Section 54956.9: one (1) potential case. There are facts and circumstances that may result in litigation but which the City believes are not yet known to potential plaintiffs (Gov. Code 54956.9(e)(1)).

PUBLIC COMMENT REGARDING CLOSED SESSION MATTERS

ADJOURN TO CLOSED SESSION

6:34 PM – RECONVENE TO OPEN SESSION

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION Pastor Pat Sheehan

ROLL CALL

Councilmembers Maria Garcia, Steve Gregory, John Hamon, Fred Strong, and Mayor Steven Martin

STAFF INTRODUCTIONS

REPORT FROM CLOSED SESSION Interim Assistant City Attorney Isaac Rosen reported pursuant to Government Code section 54953(c)(2), and prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits for a local agency executive, in this instance, the City Manager. The contract under consideration for Mr. Ty Lewis to assume the role of City Manager is as follows:

- Annual base salary of \$221,000;
- 3.5% wage increase effective the first pay period in September 2022, conditioned on satisfactory performance (future increases after that time will be subject to Council's discretion);
- The following compensation paid in the form of fringe benefits:
 - The City Manager will receive all regular health and welfare benefits as provided to employees of the City's Executive Management Group; these benefits include medical, dental, vision, and CalPERS retirement;
 - City Manager shall receive a car allowance of \$230.77 per pay period;
 - Subject to any limitations imposed by law and by the City's 457 plan, the City will contribute on employee's behalf \$369.23 each completed pay period to Employee's deferred compensation account

PRESENTATIONS

1. [COVID-19 Community Update](#)
Fire Chief Jonathan Stornetta gave an overview of COVID-19 statistics, vaccine statistics locally, and vaccine & testing locations in North San Luis Obispo County.
2. [Elks Public Safety Night Recognition](#)
Keith Boyd and Paul Bennet of the Paso Robles Elks Lodge presented Fire Chief Jonathan Stornetta and Police Chief Ty Lewis with \$11,549 of funds received in support of Paso Robles Emergency Services and Police Departments at the Elks' Public Safety night on June 18, 2021.
3. [Caltrans Presentation](#)
Gus Khouri of Khouri Consulting presented a Caltrans/Transportation update.
PUBLIC COMMENT: Dale Gustin

GENERAL PUBLIC COMMENTS. Lynda Plescia

AGENDA ITEMS TO BE DEFERRED. None

CONSENT CALENDAR

4. [Approval of City Council Meeting Minutes from 08/03/2021, 08/04/2021, and 08/11/2021](#)
5. [Receipt of Warrant Register](#)
6. [Receipt of Advisory Body Minutes](#)
Development Review Committee – 01/11/2021, 01/25/2021, 02/01/2021, 02/08/2021, 02/22/2021, 03/01/2021, 03/08/2021, 03/15/2021, 03/22/2021, 03/29/2021, 04/05/2021, 04/19/2021, 04/26/2021
Planning Commission – 05/11/2021, 05/25/2021
7. [Approval Resolution 21-104 Approving the General Obligation Bond Tax Rate – Fiscal Year 2021-22](#)
8. [Approval Resolution 21-105 Approving FAA Grant Agreement to Receive Funds from the FAA Airport Rescue Grant Program](#)
9. [Approval Resolution 21-106 Approving Water Division Position Reclassification](#)

10. [Approval Resolution 21-107 Approving the Purchase of Granular Activated Carbon for Water Treatment Plant](#)
11. [Approval Resolution 21-108 Approving Contract with Todd Groundwater to Address Groundwater Sustainability Plan Deficiencies](#)
12. [Approval Resolution 21-109 Approving Fourth Amendment and Agreement for the Airport Solar Project](#)
13. [Approval of Resolution 21-110 Approving the Purchase of a Vacuum Excavator Truck](#)
14. [Approval Resolution 21-111 Approving Contract Amendment No. 1 with Oasis Associates - Professional Land Use Planning and Regulatory Liaison Services for the Paso Robles Boys School Facility Reuse Plan – The Landing Project](#)
15. [Approval of Oak Tree Removal Permit 21-14 – Removal of Three Coast Live Oak Trees at 2811 Vine Street / APN 008-391-037 and -046](#)
Item 15 pulled from consent by Dale Gustin
16. [Approval of Resolution 21-112 Approving the Addition of Arborist Hattie Koker to the City’s ISA Certified Arborist List](#)
17. [Approval Resolutions 21-113, 21-114, 21-115, and 21-116 Approving the North Chandler Ranch Easement Modifications](#)
18. [Authorization of Continuing Emergency Action to Repair Fire Station 2](#)
19. [Approval of an Agreement with the Paso Robles Museum Foundation for an Option to Purchase a Portion of Pioneer Park Property](#)
Item 19 pulled from consent by Dale Gustin
20. [Approval of Short-term Lease Agreement with the County of San Luis Obispo for a Temporary COVID-19 Testing Center at the Train Station at 800 Pine Street](#)
Item 20 pulled from consent by Interim City Manager Greg Carpenter
21. [Approval of City Commitment to Updated Matching Share Amount for Economic Development Administration Grant for Installation of Optical Fiber Cable in Underserved Areas of the City](#)

PUBLIC COMMENT. Dale Gustin

CONSENT CALENDAR ROLL CALL VOTE: Motioned by Councilmember Gregory, seconded by Councilmember Strong, and passed unanimously to approved item 4-14, 16-18, and 21.

AYES: Gregory, Strong, Garcia, Hamon, Martin

REPORT ON ITEMS APPROVED ON CONSENT Interim City Manager Greg Carpenter provided a brief explanation of the items approved on the consent agenda.

PUBLIC HEARINGS

22. [Vesting Tentative Parcel Map PR 20-0018 to subdivide a single 6.54-acre parcel into two smaller parcels; Development Plan 20-09 for the construction of two 12,462sf buildings and associated parking and yard areas; Conditional Use Permit 21-19 for the establishment of contracted services uses; and a Private Wastewater Permit for two onsite wastewater treatment systems \(septic systems\) at 3051 Union Road \(Continued from 8/3/2021\)](#)

PUBLIC COMMENT. Dale Gustin

ROLL CALL VOTE #1: Motioned by Councilmember Gregory, seconded by Councilmember Hamon, and passed unanimously to approve Resolution 21-117 certifying the mitigated negative declaration prepared for the project.

AYES: Gregory, Hamon, Garcia, Strong, Martin

ROLL CALL VOTE #2: Motioned by Councilmember Gregory, seconded by Councilmember Hamon, and passed unanimously to approve Resolution 21-118 approving Planned Development 20-09 and Conditional Use Permit 21-19.

AYES: Gregory, Hamon, Garcia, Strong, Martin

ROLL CALL VOTE #3: Motioned by Councilmember Gregory, seconded by Councilmember Hamon, and passed unanimously to approve Resolution 21-119 approving Vesting Tentative Parcel Map PR 20-0018.

AYES: Gregory, Hamon, Garcia, Strong, Martin

23. [Conditional Use Permit 21-17 \(Vin 13 – Ruben Anthony Arroyo applicant\) 1244 Pine Street, Unit C Consideration of a recommendation from the Planning Commission to approve a Conditional Use Permit for a wine bar within an existing commercial building with the determination that Public Convenience or Necessity would be served by the issuance of a Type 42 license by the California Department of Alcoholic Beverage Control](#)

PUBLIC COMMENT. None

ROLL CALL VOTE #1: Motioned by Councilmember Gregory, seconded by Councilmember Hamon, and passed unanimously to approve Resolution 21-120 approving Conditional Use Permit 21-17, subject to site specific conditions of approval.

AYES: Gregory, Hamon, Garcia, Strong, Martin

ROLL CALL VOTE #2: Motioned by Councilmember Gregory, seconded by Councilmember Hamon, and passed unanimously to approve Resolution 21-121 determining that Public Convenience or Necessity will be served by the issuance of a Type 42 ABC license for the Vin 13 located at 1244 Pine Street.

AYES: Gregory, Hamon, Garcia, Strong, Martin

DISCUSSION ITEMS

24. [Downtown Parking Parklet Program](#)

Councilmember Gregory recused himself from this item and left the meeting during the discussion and rejoined the meeting after action was taken.

PUBLIC COMMENT. Dale Gustin, Kristin Casillas, Cristina Averseng, Andre Averseng, Doug Beckett, Danna Stroud, Billy Grant, Erica Torres, Carole MacDonal, Sally Reynolds, and Edgar Torres

ROLL CALL VOTE: Motioned by Mayor Martin, seconded by Councilmember Garcia, and passed 3-1 (Hamon opposed) to receive and file the actions of the Downtown Parking Advisory Commission; and to direct staff to bring this item back to Council on 9/7/2021 to explore the possibility of extending the temporary parklet program due to COVID-19 concerns and to explore the possibility of a separate permanent parklet program.

AYES: Martin, Garcia, Strong

NOES: Hamon

ABSENT, DUE TO RECUSAL: Gregory

25. [Appointment of Ty Lewis as City Manager and Approval of Employment Agreement](#)

PUBLIC COMMENT. Dee Lacey

ROLL CALL VOTE: Motioned by Councilmember Gregory, seconded by Councilmember Hamon, and passed unanimously to approve Resolution 21-122 appointing Ty Lewis as City Manager effective August 22, 2021, authorizing the Mayor to execute the employment agreement between the City of Paso Robles and Ty Lewis, and approving the revised master pay schedule.

AYES: Gregory, Hamon, Garcia, Strong, Martin

15. [Approval of Oak Tree Removal Permit 21-14 – Removal of Three Coast Live Oak Trees at 2811 Vine Street / APN 008-391-037 and -046](#)

Item 15 pulled from consent by Dale Gustin.

PUBLIC COMMENT. Dale Gustin

ROLL CALL VOTE: Motioned by Councilmember Hamon, seconded by Councilmember Gregory, and passed unanimously to approve Resolution 21-123, approving OTR 21-14, allowing the removal of three (3) Coast Live Oaks, totaling 101-inches in diameter, waiving the \$600.00 application fee, and requiring the owner to plant ten (10) 2.5-inch replacement trees at the direction of the Arborist.

AYES: Hamon, Gregory, Garcia, Strong, Martin

19. [Approval of an Agreement with the Paso Robles Museum Foundation for an Option to Purchase a Portion of Pioneer Park Property](#)

Item 19 pulled from consent by Dale Gustin.

PUBLIC COMMENT. Dale Gustin

ROLL CALL VOTE: Motioned by Councilmember Gregory, seconded by Councilmember Garcia, and passed unanimously to approve Resolution 21-124, to approve and authorize the City Manager to execute an Option Agreement with the Paso Robles Museum Foundation for the future right to acquire a portion of Pioneer Park and authorizing the City Manager and City Attorney to make any minor, technical, or non-substantive changes to the Agreement, as appropriate.

AYES: Gregory, Garcia, Hamon, Strong, Martin

20. [Approval of Short-term Lease Agreement with the County of San Luis Obispo for a Temporary COVID-19 Testing Center at the Train Station at 800 Pine Street](#)

Item 20 pulled from consent by Interim City Manager Greg Carpenter

PUBLIC COMMENT. None

ROLL CALL VOTE: Motioned by Councilmember Hamon, seconded by Councilmember Gregory, and passed unanimously to approve Resolution 21-125, approving the lease agreement with the County of San Luis Obispo for the commercial property 800 Pine Street attached hereto as Attachment 4 and authorizing the City Manager to execute leasing agreements, subject to any minor, technical, or non-substantive changes approved by the City Attorney and consistent with Council's intent.

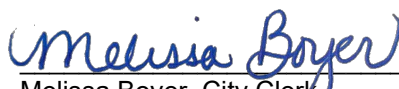
AYES: Hamon, Gregory, Garcia, Strong, Martin

COUNCIL BUSINESS & COMMITTEE REPORTS

26. [Current Council Committee Activities and Reports](#) Councilmembers and the Mayor reported on committee attendance and other related activities.

ADJOURNMENT of the August 17, 2021 Regular City Council Meeting at 8:55 PM in honor of Interim City Manager Greg Carpenter. Motioned by Councilmember Hamon, seconded by Councilmember Gregory, and passed unanimously by voice vote to adjourn to the September 7, 2021 Regular City Council meeting.

Submitted by:



Melissa Boyer, City Clerk
Approved: September 7, 2021