CITY OF EL PASO DE ROBLES
“The Pass of the Oaks”

CITY COUNCIL MINUTES
Tuesday, May 5, 2015

5:00 PM – CLOSED SESSION
Paso Robles City Hall Large Conference Room
1000 Spring Street, 2nd Floor, Paso Robles

- Conference with Legal Counsel – anticipated litigation (1 case):
  Government Code section 54956.9(d)(2)

- Conference with Legal Counsel - existing litigation (2 cases):
  Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9
  - City of Paso Robles v. Quorum Realty Fund IV, LLC, San Luis Obispo County Superior Court
    Case No. 14CVP-0125
  - Quorum Realty Fund IV LLC v. City of Paso Robles, San Luis Obispo County Superior Court
    Case No. 14CVP-0174

- Conference with Real Property Negotiators
  Pursuant to Government Code section 54956.8
  Property: 2010 Riverside Avenue
  (Pioneer Museum and Warehouse, Jeanesville Pump, Pioneer Day Committee Harvester
  Barn Complex, and Schoolhouse)
  City Negotiator: Meg Williamson
  Negotiating parties: Paso Robles Museum Foundation
  Under negotiation: Price and terms of payment

  No reportable action.

CITY COUNCIL RECESSED TO REGULAR CITY COUNCIL MEETING AT 6:20PM

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 – Don Ragle
ROLL CALL  Councilmembers Steve Gregory, John Hamon, Fred Strong, Jim Reed, and Mayor Steven Martin
STAFF INTRODUCTIONS
PRESENTATIONS – None
PUBLIC COMMENTS
This is the time the public may address the Council on items other than those scheduled on the agenda.
  Mayor Martin:
  - Presented a proclamation for the National Day of Prayer,
  - Issued medals to two Bearcat wrestlers: Kameron Morones and Oscar Covarrubias.

  Councilman Strong
  - Praised the Police Department for a recent press release and read said press release into the record.
  - Praised the City Council for their handling of comments submitted about a recent Crude Oil issue.

AGENDA ITEMS TO BE DEFERRED - None
PUBLIC HEARING

1. **Drought Response**
   D. McKinley, Public Works Director

   For the City Council to consider drought response measures to comply with Governor Brown's mandatory water reductions.

   Mayor Martin opened the public discussion. Speaking from the public were Karl Hansen, Trina Marlen, Dale Gustin, Ron Berry, Don Ragle, Linda Anderson and Nan Moss. Steve Wrath submitted correspondence via email (attachment 1). There were no other comments, either written or oral, and the public discussion was closed.

   **1st Motion**
   A motion was made by Councilman Strong and seconded by Councilman Hamon to adopt Ordinance xxx as an urgency ordinance to amend Section 14.02.060 of the Paso Robles Municipal Code adding certain additional mandatory watering restrictions, *amended to exclude parkways from the Ordinance language*.

   Motion passed by the following roll call vote:
   
   **AYES:** Strong, Hamon, Gregory, Martin
   **NOES:** Reed
   **ABSTAIN:**
   **ABSENT:**

   **2nd Motion**
   A motion was made by Councilman Strong and seconded by Councilman Hamon to adopt Resolution 15-046 reaffirming the existence of a Level 2 Water Supply Shortage, implementing specified Level 2 watering restrictions, establishing water usage allowances, and authorizing additional funds to implement additional water conservation measures, *amended to exclude parkways from the Resolution language*.

   Motion passed by the following roll call vote:
   
   **AYES:** Strong, Hamon, Gregory, Martin
   **NOES:** Reed
   **ABSTAIN:**
   **ABSENT:**

   **3rd Motion**
   A motion was made by Councilman Strong and seconded by Councilman Hamon to direct the City Attorney to draft an ordinance for Council consideration in July to establish penalties for excessive water usage above the established water usage allowances.

   Motion passed by the following roll call vote:
   
   **AYES:** Strong, Hamon, Reed, Gregory, Martin
   **NOES:**
   **ABSTAIN:**
   **ABSENT:**

CONSENT CALENDAR

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

2. **Approve City Council Minutes from April 14 and April 21, 2015**
   D. Fansler, City Clerk

3. **Approve Warrant Registers**
   J. Throop, Director of Administrative Services

4. **Advisory Body Minutes**
   Economic Development Committee (January 29, 2015)
   Youth Commission (March 4, 2015)
   Senior Citizen Advisory Committee (March 9, 2015)
   Travel Paso Robles Alliance (March 24, 2015)
   Airport Advisory Committee (March 26, 2015)
   Economic Development Committee (April 24, 2015)

5. **Proclamations**
   Letter Carrier’s Food Drive Day, May 9, 2015

Consent Calendar items 2 - 5 were approved on a single motion by Councilman Hamon and seconded by Councilman Gregory.
**DISCUSSION**

6. **General Fund Reserves**  
   J. App, City Manager  
   For the City Council to discuss “strategic” use of a portion of General Fund Reserves.  
   Mayor Martin opened the public discussion. Speaking from the public were Karl Hansen, Dale Gustin, Lynn Gamble and Trina Marlen. 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 receive and file report.  
   Motion passed by the following roll call vote:  
   AYES: Strong, Gregory, Reed, Martin  
   NOES: Hamon  
   ABSTAIN:  
   ABSENT:  

7. **Rehabilitation of Municipal & Centennial Pools**  
   J. Dahlen, Library and Recreation Services Director  
   For City Council to consider rehabilitation of Centennial and Municipal Pools.  
   Mayor Martin opened the public discussion. Speaking from the public were Chris Taranto, Dale Gustin, Ron Berry, Trina Marlen, and Lynn Gamble. 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 Strong to direct City staff to implement the proposed project timeline in order to complete the rehabilitation of Municipal and Centennial Pools in time for the 2016 aquatics season at a total estimated cost of $509,874, amended to patch the pool deck (not replace) and exclude the dedicated electric and gas meters. The deck replacement, electric and gas meters would be considered at a future date after the pool opens in 2016.  
   Motion passed by the following roll call vote:  
   AYES: Gregory, Strong, Hamon, Reed, Martin  
   NOES:  
   ABSTAIN:  
   ABSENT:  

8. **Plan Check Audit Process Update – Council Ad Hoc Committee**  
   W. Frace, Community Development Director  
   For the City Council to review the Building Division’s Plan Check Improvement Program and provide direction on how to proceed with the Building Appeals Board.  
   Mayor Martin opened the public discussion. Speaking from the public were Vince Vanderlip and Ron Berry. There were no other comments, either written or oral, and the public discussion was closed.  
   1st Motion  
   A motion was made by Councilman Reed and seconded by Councilman Strong to direct staff to report back to Council in 4 weeks regarding the time and resources necessary to get all building officials additionally Certified.  
   Motion passed by the following roll call vote:  
   AYES: Reed, Strong, Gregory, Hamon, Martin  
   NOES:  
   ABSTAIN:  
   ABSENT:  
   2nd Motion  
   A motion was made by Councilman Strong and seconded by Councilman Hamon to endorse the proposed Plan Check Review Improvement Program, endorse the formation of a Building Liaison working group, and direct staff to research empaneling an Appeals Board.
Motion passed by the following roll call vote:

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

9. **2014 Water Master Plan Adoption**
   D. McKinley, Public Works Director

   For City Council to consider the adoption of the 2014 Water System Master Plan.

   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 receive and file staff report and to distribute the full Water Master Plan document to City Council for City Council action in 4 weeks.

   Motion passed by the following roll call vote:

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

10. **Airport Lease Policy/Rate Structure Assessment – Professional Services**
    M. Williamson, Assistant City Manager

    For the City Council to authorize entering into a professional service contract with Airport Business Solutions for airport lease policy and rate structure assessment services.

    Mayor Martin opened the public discussion. Richard Morton and Sherm Smoot submitted written letters to Council before the meeting (attachment 2 & 3). 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 adopt Resolution 15-047 authorizing the City Manager to enter into a professional service contract with Airport Business Solutions in the amount of $28,000 to conduct an evaluation of the City’s current lease policies and rental rate structure for the Paso Robles Airport; and directing staff to send a response to the two citizen letter writers that they will have an opportunity to provide input during the policy development process.

    Motion passed by the following roll call vote:

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

11. **Council Economic Development Subcommittee – Dissolution**
    M. Williamson, Assistant City Manager

    For the City Council to consider a recommendation to dissolve the City Council’s Economic Development Subcommittee and restructure Council liaison assignments.

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

    Motion by Councilman Strong, seconded by Councilman Hamon to Dissolve the Economic Development Subcommittee and appoint Fred Strong and Steve Martin as the liaison members of the Chamber of Commerce’s Economic Development Resource Council.

    Motion passed by the following roll call vote:

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

12. **Ice Cream Vendor Permits**
    J. Throop, Administrative Services Director

    For the City Council to consider permits for Kona’s Ice Truck of SLO North County to conduct business within the City of Paso Robles.
Mayor Martin opened the public discussion. Speaking from the public were Gary Miller and Don Ragle. There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Hamon and seconded by Councilman Strong to adopt Resolution 15-048 approving the issuance of a permit to Kona’s Ice of SLO North County for sales from mobile ice trucks subject to certain conditions.

Motion passed by the following roll call vote:

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

13. SCORE Funding Request  
M. Williamson, Assistant City Manager

For the City Council to consider a recommendation of the City Council’s Economic Development Subcommittee for SCORE funding.

Mayor Martin opened the public discussion. Joe Whitaker submitted written correspondence (attachment 4). There were no other comments, either written or oral, and the public discussion was closed.

A motion was made by Councilman Hamon and seconded by Councilman Gregory to reject the recommendation by the Economic Development Subcommittee to become a SLO SCORE 2015 sponsor at the $2500 level.

Motion passed by the following roll call vote:

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

14. HSOC Funding Request – Homeless Count  
M. Williamson, Assistant City Manager

For the City Council to consider a request from the SLO County Homeless Services Oversight Council (HSOC) to provide funding support for a community homeless count project.

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 Hamon and seconded by Councilman Reed to reject the request from SLO County Homeless Services Oversight Council (HSOC) to provide funding support for a community homeless count project in the amount of $2,143.

Motion passed by the following roll call vote:

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

15. Contract to Plant Trees at City Water Tanks  
D. McKinley, Public Works Director

For City Council to consider a contract for tree planting around the water tanks in Landscape and Lighting District Zone 10, Sub Areas 72A, B, C and D.

A motion was made by Councilman Strong and seconded by Councilman Hamon to defer this item for one year.

Motion passed by the following roll call vote:

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

16. Appropriation of Building Automation Reserve Funds  
M. Frace, Community Development Director

For City Council to consider appropriating Building Automation Reserve Funds to cover professional consulting services to assist the city in the selection of an enterprise land management system.
Motion by Councilman Strong, seconded by Councilman Gregory to adopt Resolution 15-049 appropriating $14,850 to cover the expenditures for the consulting services.

Motion passed by the following roll call vote:

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

COUNCIL BUSINESS & COMMITTEE REPORTS

17. Current Council Committee Activities Reports

- Councilman Strong cited materials relating to State Water Resources Control Board water conservation activities (materials available on State website).

ADJOURNMENT OF REGULAR MEETING

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

Motion passed by the following roll call vote:

AYES: Hamon, Gregory, Reed, Strong, Martin

ADJOURNMENT OF REGULAR MEETING AT 12:01AM TO:

- 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 2ND, 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:

Caryn Jackson, Deputy City Clerk
Approved: May 19, 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.

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.
Dear Mayor and Council Members,

We wish to comment further regarding the previous email below that was sent to City Council members on May 1.

During the past several days we received comments regarding our correspondents. We fully appreciate that staff and Council members' time is "stretched". However, as homeowners we are working within the regulatory process that has been established by the City to govern our L&LD.

In response to comments we wish to add the following points to the previous May 1 correspondence:

* As citizens of this community we understand and appreciate staff workload; however, it's City policy that homeowners pay staff annually to administer the L&LDs business. We rely on you.
* City staff pays the bills and administers the District's maintenance contracts. Homeowners' fees are collected annually in support of that work.
* Staff needs to analyze the L&LD annual water and maintenance savings in relation to meeting the State's new drought water reduction regulations of 19% this year and 28% overall.
* Should Council cut off water to street parkway turf, you should direct staff to work with the maintenance contractor to complete the drip conversion as soon as possible to keep trees healthy.
* The City will need to adjust the L&LD maintenance contract in response to not watering, mowing and maintaining the large turf areas.
* Savings should be used to convert the street parkway irrigation infrastructure to a drip system for trees.
* Our District will meet or exceed the City's 19% overall water reduction goal by drying up all the turf areas.
* Street trees should not receive a death sentence because of new state turf watering regulations. Street trees are an asset to our community and the environment.

We understand the need to reduce water consumption and our L&LD homeowners have been working towards that goal with the assistance of City staff for the past two years. We appreciate Council members ...
taking the time to understand our neighborhood concerns regarding drought regulations you will be considering at Tuesday's Public hearing.

Before closing we want to thank Freda Berman and Nate Wyatt for their help and assistance with our L&LD. They have been outstanding to work with.

Thank you again for your consideration regarding this very important matter.

Sincerely,

Steve and Janet Rath,
Nan and John Moss,
Perry and Adele Destro,

CC: City Clerk, please enter into the record at the Public Hearing, May 5, 2015

From: Steve Rath
Sent: Friday, May 01, 2015 5:27 PM
To: 'Steve Martin'; sggregory@prcity.com; 'John Hamon'; jreed@prcity.com; 'Fred Strong'
Cc: 'Freda Berman'; 'Nate Wyatt'; Al Neas; Amy Coletta; Ann Myhre; Berry & Betty Yarnell; Bill Coles; Bill Miller; Brian Crouther; Chris & Donna Dettner; Connie Flowers; Cory & Sheryl Cave; Darrel Kinkaid; Dave Wagner ; Gary Schoolcraft & Anthony; George & Lisa Nauful; George Hanson; Gloria Chavel; J. D. French; Jack Frost; Janet Rath; Jeff Hanesworth; Jennifer & Jonathan Bedrosian; Jennifer Tourkin; Jenny & Manny Perez; Jeremy Heinbach; Jim Stern; Joe Frieding; John & Mary Campbell; Judy Waddell; Justin Perino; Katherine & Jason Hatch; Kathy Kinkaid; Linda Anderson; Matt & Brenda Covella; Matt & Sue Schimmels; Michael & Candy Marsland; Michael & Yvette Deleo; Mickey Cook; Nan & John Moss; Patricia Lareau; Perry & Adele Destro; Phil Wright; Randy & Becky Booth; Rolf & Veronika Gehrng; Samer Mohamed; Stehanie & Thad Rothbauer; Steve & Lori Foster; Stuart & Elaine Baker; Walt Nielsen; Wayne Haight
Subject: May 5th Council meeting, Public Hearing: Drought Response

Dear Mayor and Council members,

I wish to address Agenda Item #1, Drought Response Report scheduled for a Public Hearing next Tuesday, at your May 5th Council meeting.

In the staff report under Analysis and Conclusion, Item 2a and b, "City managed irrigation systems", the report calls for the following:
"a) cease irrigation of street median and parkway turf"
"b) Cease irrigation within Landscape and Lighting districts"

Our Del Oro/Hacienda L&LD; Zone 10, Sub Areas 72 A, B, C and D neighbors have been working with City Public Works staff for over a year to significantly reduce water consumption in the District. Last week on Wednesday evening, April 29th, residents met and voted to reduce turf area irrigation by over 50% in our basin and shared park areas in addition to the elimination of turf at the two entrance areas leading into the Del Oro subdivision in accordance with new State regulations.

It's my strong belief the total L&LD will meet and exceed water savings required in the new State water regulations.
However, elimination of irrigation for ‘parkway turf’ as noted in item 2.a above, will be a death sentence to the hundreds of beautiful trees that line our streets and provide a positive environmental oasis for all 171 homes. Short of killing the trees, I would strongly suggest all parkway turf sprinklers be capped and sprinkler heads adjacent to each tree be converted to a drip system to provide adequate tree irrigation. The turf area could be removed and/or drought tolerant plants added and the median covered in bark to help prevent moisture evaporation.

In conclusion, as homeowners we understand the critical need to save water and have agreed to significantly reduce massive turf areas by over 50% within our L&LD. We will meet the water reduction for the entire L&LD. I urge the City Council and staff to work with us and prevent the loss of hundreds of our trees that can never be replaced.

Thank you for your consideration regarding this extremely important matter.

Please don’t hesitate to contact me if I may be of assistance.

Steve Rath
May 4, 2015

Greetings Mayor Martin and Council Members.

Due to a prior commitment I am not able to attend the Council meeting of May 5, 2015, and voice my objections to Item 10, (Airport Lease evaluation etc.) on the agenda.

My objections are;

- The expenditure of $28,000 for analyzing our Airport leases is very untimely. There are no significant leases coming up for renewal for over 20 years and we have not signed a new lease in 17 years (Treana Winery). I am certain we will not attempt to force any recommended changes to our lease policies on existing leases.

- Local real estate professionals would be much more knowledgeable of the local industrial/commercial real estate market. Our local real estate professionals will have to educate the "out of town" consultant and we will pay for that knowledge. There is a very large supply of developed industrial property in and adjacent to Paso Robles with 67 more acres in the pipe line. Why not just use our local real estate professionals to arrive at a fair market value for our available industrial property and keep the money in Paso Robles?

- As for Airport air side land lease policy and rates. There have been no serious inquires or applications for air side leases in recent memory. The rental rate of one half cent per month/square foot for properties lacking sewer and natural gas along Dry Creek Rd. have not generated any results, even at this very low rate. There is no demand. Price is not the issue. An out of state consultant attempting to use any comparisons with other airports within California or without, will not be of any use. Local demand is the issue. Demand in the aviation community (Piston single & light twin) that populates our airport, is in decline. This is nation wide. Hangars will continue to become available. There is a 17% hangar vacancy factor at surrounding airports (City Staff) and several on our Airport as well, 47 non flying aircraft populate our Airport and some will leave in time, adding to the hangar vacancies here.

- Why not spend money completing the Airport perimeter fence and security gates. This improvement will bear an immediate benefit to our Airport. How about a general clean up of the native vegetation along Airport Road and initiate a chemical sterilization program for areas like this?

In conclusion, I would request that this issue, at a minimum, be returned to staff (option b) for a more comprehensive review. There is no hurry for this lease review as stated above. Why not take a little more time to properly evaluate our Airport with more non aligned public input.

Respectfully submitted,

[Signature]

Richard Morton

Please see addendum attached
-----Original Message-----
From: Sherm Smoot [mailto:]
Sent: Friday, May 01, 2015 2:35 AM
To: Martin Steve
Cc: Fred Strong; John Hamon; Jim Reed; Steve Gregory
Subject: Airport Lease Evaluation Consultant

Mr. Mayor and Members of the Council,

Unfortunately I am in Europe on business and can not attend the council meeting on May 5. Most of you know me, my career in aviation, and what I have contributed to improve the airport.

As the Estrella Warbirds Museum President and as a former large lease holder on the airport, I have some major concerns with the direction that is about to be set in motion at the airport. A few concerns:
1. With the airport deep in the red financially, why do we need to pay a consultant to tell us what is already known. It won't make the red ink go away.
2. I read the "Airport Business Improvement Plan" from the PRAA. It really addresses none of the current issues, and does not show a pathway to profitability. For example, where's the what, how, when, and where?

These are just a few of many of my and our museum's concerns. It is vital that we discuss this further before making any decisions. This airport can be a major revenue generator for the city and its citizens. I implore you to table this discussion for a short period. It would be in the best interest of the city, it's airport tenants, and concerned citizens to do so. We all need a more thorough dialog before such a decision is thrust upon the airport tenants and citizens of Paso Robles.

Yours truly,

Sherman Smoot
President, Estrella Warbirds Museum
Sent from my iPad
"On behalf of the San Luis Obispo County chapter of SCORE, we thank the Economic Development Committee for its recommendation regarding our request for the City of Paso Robles to become a financial supporter of our efforts, and the City Council for considering such donation. Any such funds granted will be used to increase our roster of services to small business owners and start-ups in Paso Robles and surrounding communities. In the past two years alone we have helped form approximately twenty new business entities in your city. We look forward to a strong, cooperative mutually beneficial relationship with the Paso Robles Chamber of Commerce and other local business service entities to continue growing the private sector economy of your community."