



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

Paso Robles City Council Minutes

**February 20, 5:30 PM
Library/Conference Center Council Chamber
1000 Spring Street
Paso Robles, CA 93446**

Councilmembers Present: Mayor Hamon, Councilmember Bausch, Councilmember Gregory, Councilmember Roden, Councilmember Strong

A. 5:30 PM CALL TO ORDER

The meeting was called to order at 5:30 PM.

B. ROLL CALL

Councilmember Bausch, Councilmember Gregory, Mayor Hamon
Councilmember Roden joined the meeting at 5:34 PM.
Absent: Councilmember Strong

C. CLOSED SESSION ITEMS

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Government Code Section 54956.9(d)(1))

Name of Case: 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. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Gov. Code, § 54956.9(d)(2))

Significant Exposure to Litigation: One case
The city has received a cease and desist letter regarding modifications to the Paid Parking Program alleging violations of the Brown Act and other State laws.

D. PUBLIC COMMENT REGARDING CLOSED SESSION MATTERS

Julie Tacker, Gary Lehrer, John Roush, Carla Carey, Sharon Foster, David Boule, Randall Jordan, Jennifer Roush, and David Nelson.

E. ADJOURN TO CLOSED SESSION

F. 6:30 PM RECONVENE TO OPEN SESSION

The meeting was reconvened at 6:42 PM.

G. PLEDGE OF ALLEGIANCE

H. INVOCATION

I. ROLL CALL

Councilmember Bausch, Councilmember Gregory, Councilmember Roden, Councilmember Strong, Mayor Hamon

J. STAFF INTRODUCTIONS

K. REPORT FROM CLOSED SESSION

City Attorney Elizabeth Hull reported Council went into closed session on two items. The first item was conference with legal counsel regarding existing litigation. The case is Steinbeck Vineyards #1, LLC, et al., v. County of San Luis Obispo, et al; There was no reportable action.

The second item was conference with legal counsel, anticipated litigation, significant exposure to litigation: One case regarding a cease and desist letter regarding the modifications to the paid parking program alleging violations of the Brown Act and other State Laws. There was no reportable action.

L. PRESENTATIONS

1. Teen Dating and Violence Month Proclamation 2024

M. GENERAL PUBLIC COMMENTS

Linda George, Linda Becker, and Fred Strong.
Linda George submitted a document that will be addended to the agenda.

N. AGENDA ITEMS TO BE DEFERRED

None.

O. OVERVIEW OF ITEMS ON CONSENT CALENDAR

City Manager Ty Lewis provided a brief overview of the items on the consent calendar.

P. CONSENT CALENDAR

PUBLIC COMMENT: Dale Gustin, Michael Rivera.

Motioned by Councilmember Gregory, seconded by Councilmember Bausch, and passed unanimously to approve items 1-10 of the Consent Calendar.

AYES: Gregory, Bausch, Roden, Strong, Hamon

Roll Call Vote Passed Unanimously

1. **Approval of February 6, 2024 City Council Meeting Minutes**
2. **Approval of February 8, 2024 City Council Special Meeting Minutes**
3. **Receipt of Advisory Body Minutes**
4. **Approval of Lease Agreement with EarthTones Gifts, Gallery & Center for Healing for Commercial Space located at the Train Station at 790 Pine Street**
Resolution 24-011
5. **Receipt of Warrant Register**
6. **Receipt of Development Impact Fee Five-Year Report**
7. **Approval of a Change Order to Stantec Agreement for Design Services in an Amount of \$110,200 for Additional Design Services for Vine Street Frontage Improvements**
Resolution 24-012
8. **Approval of a Change Order to Stantec Agreement for Design Services for the South Vine Bridge and Vine Street Road Realignment Project**
Resolution 24-013
9. **Authorization for the City Manager to enter into up to Five On-Call Water System Repair Contracts of \$60,000 or less, following an informal bidding process, for an Amount Not-Too-Exceed \$300,000 Total**
Resolution 24-014
10. **The Landing/Paso Robles Boys School Reuse Project: Consultant Agreement Amendments for the Environmental Impact Report and Traffic Impact Study**
Resolution 24-015

Q. PUBLIC HEARINGS

1. **Approval of Development Plan (PD22-20), Oak Tree Removal (OTR23-11), Vesting Tentative Parcel Map PR 22-0054, and Conditional Use Permit 23-14 at 2930 Union Road/APN: 025-362-043**

PUBLIC COMMENT: Julie Tacker, Caroline Logudice, Michael Rivera, Sally Reynolds.

Motioned by Councilmember Gregory, seconded by Councilmember Bausch and passed unanimously to approve Resolution 24-016, adopting the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan.
AYES: Gregory, Bausch, Roden, Strong, Hamon

Roll Call Vote Passed Unanimously

Motioned by Councilmember Gregory, seconded by Councilmember Bausch and passed unanimously to approve Resolution 24-017 approving Planned Development 22-20, CUP 23-14, and Oak Tree Removal Permit 23-11 noting that all efforts shall be made to plant all 34 replacement oak trees on the project site. Should that not be possible due to space allowances, payments per tree will be made to the City's oak replacement fund.

AYES: Gregory, Bausch, Roden, Strong, Hamon

Roll Call Vote Passed Unanimously

Motioned by Councilmember Gregory, seconded by Councilmember Bausch and passed unanimously to approve Resolution 24-018, approving the Vesting Tentative Tract Map PR 22-0054.

AYES: Gregory, Bausch, Roden, Strong, Hamon

Roll Call Vote Passed Unanimously

2. Introduction and First Reading of an Ordinance Amending Paso Robles Municipal Code Chapter 12.42, Parking Management, to clarify the process for setting parking rates, reestablishing the Downtown Parking Zone and other clean up measures.

PUBLIC COMMENT: Dale Gustin, David Nelson, Julie Tacker, Michael Rivera, Clive Pinder, Stephen King, Carla Cary, Michelle Nelson, Caroline LoGuidice, James Schaffer, Monte Jones, Jeff Carr, Keith Entwistle, John Roush, Jeff Wiesinger, Jan Hop, Pat Banakis, Jennifer Roush Kloth, Sharon Foster, Scott Howenstine, Linda George, Peter Byrne, Gina Fitzpatrick, Jan Albin, Kevin Siegel, and Lisa MacCagno.

Motioned by Councilmember Roden, seconded by Councilmember Gregory, and passed 3-2 to Introduce for first reading by title only, an ordinance of the City Council of the City of El Paso de Robles amending Chapter 12.42 of Title 12 of the Paso Robles Municipal Code to clarify the process for setting parking rates, reestablishing the Downtown Parking Zone and other clean up measures within the sections indicated:

12.42.020 Parking zones

- Delete reference to setting by resolution
- Establish the parameters of the Downtown Parking Zone

12.42.060 Overparking- Exceptions

- Clarifying changes regarding signage for approved parking zones
- Removing the following sentences:
 - A parking zone is defined as the parking zone indicated on posted signage.
 - A vehicle may not return to the initial parking zone or parking lot sooner than two hours following the expiration of the initial time period.

12.42.070 Parking zone regulations

- Reiterate parking sessions commence upon parking of vehicle
- Length of allowed parking session may range from 15 minutes -10 hours and will be established by the City Manager; designed to achieve 85% utilization rate
- Authorize free 30 minute parking spots
- Establish fee range from \$1-\$5; the City Manager, or their designee, with the direction of City Council by approved resolution, shall set the rate of the parking zones within that range consistent with achieving the 85 percent target utilization.
- Authorize preferential parking privileges may be established by ordinance or resolution (VC 22507)

AYES: Roden, Gregory, Hamon

NOES: Bausch, Strong

Roll Call Vote Passed

Motioned by Councilmember Roden, seconded by Councilmember Gregory, and passed 3-2 to receive the report from the City Manager on the implementation and signage for the new downtown parking program once it becomes effective.

AYES: Roden, Gregory, Hamon

NOES: Bausch, Strong

Roll Call Vote Passed

Motioned by Councilmember Roden, seconded by Councilmember Gregory, and passed 3-2 to direct staff to implement the proposed process as outlined in this report to provide refunds of parking fees collected and citations from February 6, 2023 to February 6, 2024.

AYES: Roden, Gregory, Hamon

NOES: Bausch, Strong

Roll Call Vote Passed

R. DISCUSSION ITEMS

1. Report to Council regarding a Cease and Desist Letter Sent by Mr. Gary Lehrer; Request to Authorize Mayor to Execute and Send Response Letter to Mr. Lehrer

PUBLIC COMMENT: Dale Gustin, David Nelson, Gary Lehrer, Linda Becker, and Jeff Carr.

Motioned by Councilmember Gregory, seconded by Councilmember Roden, and passed 4-1 acknowledging receipt of both the procedurally deficient and sufficient Cease and Desist Letter and, to reflect the City's commitment to transparency and compliance with the Brown Act, authorize the Mayor to execute and send a response letter making an unconditional commitment to cease, desist from, and not repeat the challenged action, without admitting any violation of the Ralph M. Brown Act.

AYES: Gregory, Roden, Strong, Hamon

NOES: Bausch

Roll Call Vote Passed

S. CITY MANAGER REPORT

City Manager Ty Lewis provided an update on current City activities.

T. COUNCIL BUSINESS AND COMMITTEE REPORTS

Councilmembers and the Mayor reported on committee attendance and other City related activities. Councilmember Bausch requested, and a majority of Council agreed, that a presentation from Howard Jarvis Taxpayers Association be added to a future City Council Agenda. Councilmember Gregory requested, and a majority of Council agreed, that an informational presentation from San Luis Obispo County regarding the proposed sales tax initiative be added to a future City Council Agenda.

U. UPCOMING EVENTS

V. ADJOURNMENT

Motioned by Councilmember Roden, seconded by Councilmember Gregory, and passed unanimously by voice vote at 11:22 PM to adjourn to the March 2, 2024 Special City Council meeting.

Roll Call Vote Passed Unanimously

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BY THE CITY COUNCIL AT A FUTURE REGULAR MEETING