

All persons desiring to speak on agenda items are asked to fill out a ***Speaker Information Card*** and place it at the Staff Table prior to the start of discussion of the agenda item. Each individual speaker will be limited to a presentation total of three (3) minutes per person, per item.

CITY COUNCIL AGENDA

Tuesday, July 3, 2001 7:30 PM

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL
CONFERENCE CENTER, 1000 SPRING STREET**

**PLEASE SUBMIT ALL CORRESPONDENCE FOR CITY COUNCIL PRIOR
TO THE MEETING WITH A COPY TO THE CITY CLERK**

7:30 PM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Center

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL Councilmembers George Finigan, Jim Heggarty, Gary Nemeth, Duane Picanco and Mayor Frank Mecham

PUBLIC COMMENTS

This is the time the public may address the Council on items other than those scheduled on the agenda. **PLEASE SPEAK DIRECTLY INTO THE MICROPHONE AND BEGIN BY STATING YOUR NAME AND ADDRESS. EACH PERSON AND SUBJECT IS LIMITED TO A 3-MINUTE DISCUSSION.** Any person or subject requiring more than three minutes may be scheduled for a future Council meeting or referred to committee or staff. Those persons wishing to speak on any item scheduled on the agenda will be given an opportunity to do so at the time that item is being considered.

PRESENTATIONS - None

NOTICED HEARINGS

1. **Community Development Application Cost Recovery Fixed Fee Schedule**

R. Lata, Community Development Director

Open the public hearing and table consideration of this item pending further research and coordination with the Fiscal Policy Committee. (This item was continued from the April 17th Council meeting.)

OPTIONS:

- a. Close public hearing and table this matter.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

ADJOURN TO JOINT MEETING OF PUBLIC FINANCING AUTHORITY, REDEVELOPMENT AGENCY & CITY COUNCIL

ROLL CALL Agencymembers Jim Heggarty, Gary Nemeth, Frank Mecham, Duane Picanco, and Chairman George Finigan

DISCUSSION

2. **Agreement with County of San Luis Obispo Regarding Use of Redevelopment Low and Moderate Income Housing Funds for Matching Funds for First-Time Homebuyer Assistance**

R. Lata, Community Development Director

Consider approval of an agreement with the County of San Luis Obispo regarding use of \$25,000 in Redevelopment Low and Moderate Income Housing (LMIH) funds as a local match for \$100,000 in Year 2000 Federal HOME funds for a first-time homebuyer's loan program for low-income residents of Paso Robles.

OPTIONS:

- a. Adopt Resolution No. RA 01-xx approving an agreement with the County of San Luis Obispo regarding the use of \$25,000 in Low and Moderate Income Housing Funds as a local match for \$100,000 in Federal HOME funds for first-time homebuyers assistance loans in Paso Robles.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE (**Redevelopment Agency**)

3. **Revised Owner Participation Agreement with Martin Resorts, Inc. (Paso Robles Inn)**

R. Lata, Community Development Director

For City Council and Redevelopment Agency to consider authorizing the City Manager and Agency Executive Director to execute an Amended and Restated Owner Participation Agreement (OPA) with Martin Resorts, Inc. The Agreement provides for Redevelopment Agency and City to provide incentives for the development and marketing of a new conference facility and rehabilitation of the historic dining room of the Paso Robles Inn.

OPTIONS:

- a. **REDEVELOPMENT AGENCY** Adopt Resolution No. RA 01-xx approving the Amended and Restated Owner Participation Agreement and authorizing the Executive Director to execute the Amended and Restated Owner Participation Agreement with Martin Resorts, Inc.

ROLL CALL VOTE (Redevelopment Agency Vote)

- b. **CITY COUNCIL** Adopt Resolution No. 01-xxx approving the Amended and Restated Owner Participation Agreement, and authorizing the City Manager to execute the Amended and Restated Owner Participation Agreement with Martin Resorts, Inc., and appropriating \$17,000 from the Economic Incentive Fund for permit fee reductions. The remaining \$350,000 in incentives will come, if earned, directly out of a share of incremental increases in TOT.

ROLL CALL VOTE (City Council Vote)

- c. Amend, modify or reject the above options

ADJOURN TO CITY COUNCIL MEETING

CONSENT CALENDAR

ITEMS ON THE CONSENT CALENDAR ARE CONSIDERED ROUTINE, NOT REQUIRING SEPARATE DISCUSSION. However, if discussion is wanted or if a member of the public wishes to comment on an item, the item may be removed from the Consent Calendar and considered separately. Councilmembers may ask questions of clarification without removing an item from the Calendar. **INDIVIDUAL ITEMS 4-21 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.**

4. Receive and file Advisory Body Committee minutes as follows:

Senior Advisory Committee meeting of May 14, 2001
Youth Commission meeting of May 16, 2001
Transit Advisory Committee meeting of June 6, 2001
Housing Authority meeting of June 12, 2001

5. Approve Warrant Register.

M. Compton, Administrative Services Director

6. Adopt Ordinance No. XXX N.S. by regular motion, ordering that the Ordinance be read by title only, then by separate motion, amending Chapter 3.40 Revenue and Finance of the Municipal Code to adopt fiscal year 2001/02 and 2002/03 budget appropriations for the Redevelopment Agency of the City of Paso Robles. (Introduced for first reading at City Council meeting held on June 19, 2001.)
M. Compton, Administrative Services Director
7. Adopt Ordinance No. XXX N.S. by regular motion, ordering that the Ordinance be read by title only, then by separate motion, amending Chapter 3.40 Revenue and Finance of the Municipal Code to modify the fiscal year 2000/01 budget for the Redevelopment Agency of the City of Paso Robles. (Introduced for first reading at City Council meeting held on June 19, 2001.)
M. Compton, Administrative Services Director
8. Adopt Resolution No. 01-xxx approving a budget appropriation of \$58,300 from the Economic Incentive Fund for payments for economic incentive agreements with JIT Manufacturing and Akshar Partnership (Holiday Inn Express). (Based upon transient occupancy taxes generated and employment performance during the first twelve months of operations, both businesses are eligible for an incentive payment: \$8,250 to JIT Manufacturing and \$50,000 to Akshar Partnership.)
M. Compton, Administrative Services Director
9. Adopt Resolution No. 01-xxx awarding the Annual Street Maintenance contract, DPW Project No. 01-16, to the low bidder, Granite Construction, in the amount of \$650,544.
J. Deakin, Public Works Director
10. Adopt Resolution No. 01-xxx authorizing the City Manager to enter a Consultant Services Agreement for a not-to-exceed fee of \$21,180 with North Coast Engineering (NCE) to prepare the design and construction plans to stabilize the Huer Huelo Riverbank slope and protect the exposed sewer pipe.
J. Deakin, Public Works Director
11. Adopt Resolution No. 01-xxx approving the Disadvantaged Business Enterprise (DBE) Program and authorize staff to solicit public comments through advertising in the local newspaper. (Local agencies that received Federal aid grants are required to establish a DBE Program. Caltrans has developed a model DBE program for the State of California, which has been approved by the Federal Government.)
J. Deakin, Public Works Director
12. Approve the text for the Niblick Bridge dedication plaque.
J. Deakin, Public Works Director
13. Adopt Resolution No. 01-xxx accepting an Offer of Dedication of a 12-foot width along the Union Road frontage of 733 Renate Way (APN No. 025-031-015). (The Planning Commission determined that construction of curb, gutter and sidewalk was not feasible due to the topography of the area. Although street improvements are not required at this time, the City is still acquiring right-of-way in anticipation of the future widening of Union road.)
R. Lata, Community Development Director
14. Adopt Resolution No. 01-xxx authorizing Mr. Kim Lilly (on behalf of Mr. John Moore) to file development applications in advance of preparing Airport Specific Plan. (Planned Development 01-012 was filed, which proposes the construction of a 6,975 square foot hangar with 1,430 square feet of office space on the western portion of a lease parcel that is already partially developed with individual aircraft hangars. The parcel is located on the east side of Wing Way, south of Rollie Gates Drive, and is approximately 2.73 acres in size. The General Plan land use designation for the site is Business Park (BP) and the Zoning District

is Airport Planned Development (AP PD). Industrial and aircraft related development are permitted uses under the current land use designation.)
R. Lata, Community Development Director

15. Adopt Resolution No. 01-xxx appropriating \$2,327 to cover the cost of plan review services for North American Jet Charter at 4990 Wing Way. (Plan review for improvements to upstairs office space at site was completed and a permit issued on May 31, 2001. Agreement with NAJC provides that any permit or like fees associated with improvements at 4990 Wing Way are to be covered by the City Economic Incentive Fund.)
R. Lata, Community Development Director
16. Adopt Resolution No. 01-xxx appropriating \$2,600 to cover the cost of education of building personnel for fiscal year 2000/2001. (Assembly Bill 717 requires that individuals providing inspection services for a City or County be certified and that inspectors obtain 15 hours of continuing education in each field of inspection they practice. The bill did not provide funding to offset cost of the mandatory education. To offset the cost, an impact fee was established and the appropriation is necessary to close out the cost of education for the Building Division in specified year.)
R. Lata, Community Development Director
17. Adopt Resolution No. 01-xxx approving a new contract with McDonough, Holland and Allen for city attorney services. (Council received a letter from City Attorney requesting consideration of an increase in hourly compensation from \$130 to \$145. There has been no rate increase since the contract was first approved September 1994. The requested hourly rate increase represents an 11.5% increase or 1.6% annually. The Consumer Price Index (CPI) during this time period increased by 24.5% or 3.5% annually. Given this fact, the increase was considered reasonable and was supported by the Council's ad hoc budget committee and resources were included in the adopted budget.)
M. Compton, Administrative Services Director
18. Adopt Resolution No. 01-xxx approving a consultant services agreement for the development impact fee consulting services to Revenue & Cost Specialist, LLC; authorizing staff to negotiate and execute a final contract subject to City Attorney review; and approving a budget appropriation in the amount of \$35,200. (Council awarded this project to Revenue & Cost Specialist at its June 19th meeting and directed staff to return after the award with contract approval and budget appropriation.)
M. Compton, Administrative Services Director
19. Authorize the signature of the final agreement with the Salt Lake Olympic Organizing Committee for the Olympic Winter Games of 2002. (Paso Robles has been chosen as a rest stop for the Olympic Winter games of 2002 torch relay. If the City wishes to accept the invitation to be a rest stop, an agreement must be signed. Staff and legal council have reviewed the agreement and found it to be acceptable.)
D. Fansler, Management Analyst
20. Affirm the purchase of new grounds maintenance equipment for Barney Schwartz Park from various vendors (low bidders) in the amount of \$112,184.25 by adopting Resolution No. 01-xxx approved at the June 19th Council meeting. (This action is to correct an administrative error, which provided an inaccurate result in the total expense and quantity of certain equipment items in the June 19 staff report. The resolution has been revised to include all corrections.)
J. Deakin, Public Works Director

21. Adopt Resolution No. 01-xxx approving the applicant to apply for grant funds for the Per Capita Grant Program under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000. (The State of California Department of Parks and Recreation requires a resolution passed by the City Council to apply for grant monies made available by the Park Bond Act of 2000. In order to apply for funding, the City must have such a resolution passed and on file.)
B. Partridge, Library & Recreation Services Director

ROLL CALL

PUBLIC DISCUSSION

22. **Emergency Services Growth Management Plan Funding Options**

D. Hamp, Chief of Emergency Services & D. Cassidy, Police Chief

Consider funding options to implement the Emergency Services Growth Management Plan.

OPTIONS:

- a. Defer consideration of a ballot measure proposing a new tax.
- b. Determine that the voters should vote on a measure to approve a special tax or a sales tax override to provide funding for Emergency Services.

If the Council determines that one or both of these measures should be placed on the ballot, then the Council must adopt certain resolutions as required by the California Elections Code as follows:

1) Calling Election Adopt Resolution No. 01-xxx calling and giving notice of the holding of a Special Municipal Election to be held on Tuesday, November 6, 2001, for the submission to the voters of a measure that authorizes the imposition of [a special tax] and/or [a sales tax override] to provide funding for fire and emergency medical services.

2) Consolidating Election Adopt Resolution No. 01-xxx requesting the Board of Supervisors of the County of San Luis Obispo to consolidate a Special Municipal Election to be held on November 6, 2001, with the Consolidated General District Election to be held on the same date, and requesting the services of the San Luis Obispo County Clerk in conducting the election.

3) Deadline for Arguments & Impartial Analysis by City Attorney Adopt Resolution No. 01-xxx setting priorities for filing written arguments regarding a city measure and directing the City Attorney to prepare an impartial analysis.

4) Rebuttal Arguments (optional) Adopt Resolution No. 01-xxx providing for the filing of rebuttal arguments for City measures submitted at municipal elections.

- c. Amend, modify or reject the above options.

ROLL CALL VOTE

23. Consent to Process Planned Development 01-002 (Proforms, Inc.)

R. Lata, Community Development Director

Consider authorization for Proforms, Inc. to process a Planned Development application that proposes private circulation and parking improvements on a City-owned parcel.

OPTIONS:

- a. Adopt Resolution No. 01-xxx authorizing Proforms, Inc. to file Planned Development 01-002 and directing staff to prepare the necessary documents for Council to consider a formalized agreement for long-term use of the area.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

24. Request for Forgiveness of Loan of Community Development Block Grant (CDBG) Funds

R. Lata, Community Development Director

Consider a request filed by Ali Salmanzadeh for forgiveness of a loan of \$73,212 in 1994 Community Development Block Grant (CDBG) Funds to install an elevator, fire sprinklers, and a fire alarm at 1245 Park Street.

OPTIONS:

- a. Convert the form of financial assistance with CDBG funds for the rehabilitation of 1245 Park Street from a loan to a grant via adoption of Resolution No. 01-xxx, which authorizes an amendment to the Loan Agreement.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

25. Request to Remove an Oak Tree – 1636 Spring Street

R. Lata, Community Development Director

Consider a request to remove a 30-inch diameter oak tree at 1636 Spring Street.

OPTIONS:

- a. Adopt Resolution No. 01-xxx authorizing the removal of one 30-inch diameter oak tree located in front of the business located at 1636 Spring Street.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

26. Request to Remove Oak Trees – Snead Street, West of Wade Drive

R. Lata, Community Development Director

Consider a request to remove two 12-inch diameter oak trees on a parcel located west of the intersection of Snead Street and Wade Drive.

OPTIONS:

- a. Adopt Resolution No. 01-xxx authorizing the removal of two 12-inch diameter oak trees on the parcel owned by Dennis Bradshaw and located on Snead Street, west of Wade Drive and require replacement oak trees conforming to Section 10.01.040 (E) of the Paso Robles Municipal Code.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

27. Roadway Design Exception in Order to Preserve an Oak Tree Along the South Side of Union Road, West of Prospect Avenue (Tentative Tract 2373)

R. Lata, Community Development Director

Consider modification of a City Engineering Standard allowing for a reduction in the curb-to-curb width of Union Road, west of Prospect Avenue, in order to preserve a 48-inch diameter oak tree located within the City right of way.

OPTIONS:

- a. Adopt Resolution No. 01-xxx authorizing a design exception to reduce the width of the pavement section along the south side of Union Road adjacent to Tract 2373 in order to preserve a 48-inch diameter oak tree.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

28. Use of Septic System – 816 26th Street (Pacific Tank)

R. Lata, Community Development Director

Consider a request to allow septic tank usage for an office facility located on an industrial property (Pacific Tank & Construction) at 816 26th Street.

OPTIONS:

- a. Adopt Resolution No. 01-xxx authorizing usage of a septic system for a proposed office facility at 816 26th Street, contingent upon the applicant agreeing to participate in the formation of a future assessment district to extend the sewer line to their property, and with the design of the septic system subject to the approval of the Regional Water Quality Control Board.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

29. City Council Policy Regarding Project Details with General Plan Amendment Applications

R. Lata, Community Development Director

Consider establishing a policy of requiring project level details to be submitted in conjunction with General Plan Amendments. (This action is pursuant to Council direction at the June 5, 2001 Council meeting.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx requiring applicants seeking a change to the City's General Plan (only for projects within City boundaries) to provide a specific development proposal to justify the need for change to City policy.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

30. Barney Schwartz Park – Dedication Plaque and Budget Correction

D. Monn, City Building Official

Consider a dedication plaque design and authorize a budget correction for Barney Schwartz Park.

OPTIONS:

- a. Approve the budget correction and dedication plaque design.
- b. Approve the budget adjustment and direct staff to install the bronze dedication plaque provided for in the construction drawings.
- c. Not approve the budget adjustment and allocate \$12,000 to cover the cost of the volunteer commemorative and direct staff to request a separate appropriation from Measure D funds to cover the projected project shortfall.
- d. Amend, modify or reject the above options.

ROLL CALL VOTE

31. League of California Cities Proposal: “Grassroots Network”

J. App, City Manager

Consider the League of California Cities’ proposal to form a “grassroots network” of 17 staff members located across the State to assist local agencies in the promotion of key League legislative priorities.

OPTIONS:

- a. Determine position regarding the League of California Cities “Grassroots Network” proposal and authorize the Mayor to so execute Paso Robles’ ballot.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

32. Downtown Parking Ad Hoc Committee

R. Lata, Community Development Director

Consider extension of time to October 2nd for ad hoc committee to review proposals and conduct interviews regarding a Downtown Parking and Circulation Plan.

OPTIONS:

- a. Extend duration of ad hoc committee for reviewing proposals for Downtown Parking and Circulation Plan to October 2, 2001.
- b. Amend, modify or reject the above option.

VOICE VOTE

33. Processing Fees Ad Hoc Committee

R. Lata, Community Development Director

Consider dissolution ad hoc committee formed on April 17th to work on planning and engineering application processing fees.

OPTIONS:

- a. In light of the new ad hoc committee on financial incentives and fees that was formed at the June 19th Council meeting (with Councilmembers Nemeth and Picanco), that the ad hoc committee of Councilmembers Heggarty and Nemeth formed on April 17th to work on a city planning and engineering application processing fees be dissolved.
- b. Amend, modify or reject the above option.

VOICE VOTE

34. Selection of AB1600 Consultant Ad Hoc Committee

M. Compton, Administrative Services Director

Report on dissolution of ad hoc committee formed at the May 15th Council meeting to assist in the selection of a development impact fee consultant and consisting of Mayor Frank Mecham and Councilman Jim Heggarty.

OPTIONS:

- a. Receive and file report on ad hoc committee to select AB1600 consultant.
- b. Amend, modify or reject the above option.

VOICE VOTE

35. Appeal of Santa Ysabel Ranch

R. Lata, Community Development Director

Appoint representative of the Council to address the appeal of the County Subdivision Review Board approval of the Santa Ysabel Ranch.

VOICE VOTE

36. Renaming of Niblick Bridge

F. Mecham, Mayor

Discuss renaming the Niblick Bridge.

37. Applicant Interviews for Advisory Committees: Senior Citizens, Transit, Citizens Transportation (County) and Housing Authority

J. App, City Manager

Confirm July 5, 2001, 7:00 – 9:00 p.m. in Paso Robles City Hall, Large Conference Room 2nd Floor, as time and place for conducting applicant interviews as follows:

Senior Citizens Advisory Committee: 4 vacancies (2-year terms)

Charles Wolfe	Dorothy Worden (incumbent)
Dolly Bader (incumbent)	Edna DeBardelaben (incumbent)
Helen Dutra (incumbent)	

Transit Advisory Committee: 3 vacancies (4-year terms)

Verlonn Alexander	Bill Rouch
Lydia Francis	

Citizens Transportation Advisory Committee (County): 1 vacancy (1-year term)

Gary Costa	Lydia Francis
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Housing Authority: 3 vacancies (4-year terms)

Vicky Jeffcoach (incumbent)	Gladys Moore (tenant; incumbent)
Frank Schuh	Pearl Munak
Verlonn Alexander	

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

PUBLIC COMMENT

Public comments limited to Closed Session items only.

a. Conference with Legal Counsel – Anticipated Litigation

Subdivision (b) of Government Code Section 54956.9

Significant exposure to litigation (facts and circumstances not known to adverse party)

Number of cases: One

ADJOURNMENT: to THE ADJOURNED REGULAR MEETING ON THURSDAY, JULY 5, AT 7:00 PM AT THE CITY HALL, 2ND FLOOR LARGE CONFERENCE ROOM, 1000 SPRING STREET; AND TO THE REGULAR MEETING ON TUESDAY, JULY 17, 2001, AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR COUNCIL MEETING IS JULY 6, 2001