

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, September 4, 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. **Appeal of Planned Development 01-012 (Lilly/Moore)**

R. Lata, Community Development Director

Open public hearing regarding Planned Development and continue consideration of the appeal application to September 18, 2001.

OPTIONS:

- a. Continue the open noticed hearing on Planned Development 01-012 to the Council's regular meeting of September 18, 2001.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

2. **Water Tank Property Landscaping**

R. Lata, Community Development Director

Open public hearing on water tank property landscaping discussion and continue to the Council's regular meeting of September 18, 2001.

OPTIONS:

- a. Continue the open noticed hearing on the water tank property landscaping to the Council's regular meeting of September 18, 2001.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

3. **Easement Abandonment 01-002 (Ward)**

R. Lata, Community Development Director

Open public hearing to consider a request filed by Stephen Ward to abandon a 30-foot wide utility easement located along the northern boundary of his property. (Project site is located on the north side of West 12th Street. General Plan Land Use designation is RSF-2 and the current zoning is R-1,B3.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx approving Easement Abandonment 01-002, which would abandon 30 feet of the existing access and utility easement along the western property line of Stephen Ward's lot.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

4. Rezone 01-005 (City Initiated)

R. Lata, Community Development Director

Consider a request to rezone an approximate 2.5-acre property from Planned Industrial (PM, PD) to Highway Commercial (C2, PD) consistent with its existing General Plan land use designation. (Subject property is located on the north side of 4th Street, west and adjacent to Pine Street and east of Spring Street. Existing General Plan Land Use designation for project area is Community Commercial. The proposed zoning designation would bring the area into conformance with the General Plan.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx approving a Negative Declaration for Rezone 01-005 (4th and Pine – City Initiated).
- b. Introduce Ordinance XXX N.S. amending the Zoning Map established by reference in Section 21.12.020 of the Zoning Code (Title 21) and set September 18, 2001 for adoption.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

5. General Plan Amendment 3-01: Part “A” Chandler Ranch Area Specific Plan (City-Initiated); Part “B” Hogue Grips; Zone Change 01-003 (Hogue Grips)

R. Lata, Community Development Director

Consider the Planning Commission’s recommendation regarding a two-part amendment to the City’s General Plan, and an accompanying Zone Change request: (1) to establish a Specific Plan requirement for the Chandler Ranch and nearby properties; (2) a General Plan Amendment and Zone Change regarding proposed industrial development by Hogue Grips. This is an open public hearing continued from the August 21, 2001, City Council meeting.

OPTIONS:

After consideration of all public testimony, consider the Planning Commission’s recommendation to approve the following:

- a. By separate motions:
 - (1) Adopt Resolution No. 01-xxx approving a Negative Declaration for General Plan Amendment 3-01, component “A” (Chandler Ranch Specific Plan requirement); and
 - (2) Adopt Resolution No. 01-xxx approving a Negative Declaration for General Plan Amendment 3-01, component “B” (Hogue Grips land use element amendment and re-zone); and
 - (3) Adopt Resolution No. 01-xxx approving General Plan Amendment 3-01, including both components (The Chandler Ranch Area Specific Plan as part “A” and the Hogue Grips application as part “B”). The geographic area included is per the Exhibit “A” attached to the City Council resolution.

- (4) Introduce for First Reading an Ordinance that would amend the City's Zoning Map, changing the zoning of the Hogue Grips property from Agriculture to Airport Planned Development (AP-PD), and set September 18, 2001 as the date for adoption of said Ordinance
- (5) Direct staff to initiate the process of seeking proposals from qualified consultant firms to prepare the Chandler Ranch Specific Plan, related applications and environmental documentation, based on the premise that the City would advance the funds to prepare the Specific Plan and recover the City's costs in the form of specific plan fees at the time of development. Selection of the most qualified consultant team and appropriation of funds would be subject to City Council approval.

b. Amend, modify or reject the foregoing options.

ROLL CALL VOTE

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 6-15 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

- 6. Approve City Council Minutes of June 5, 2001.
D. Fansler, City Clerk
- 7. Approve Warrant Register.
M. Compton, Administrative Services Director
- 8. Receive and file Advisory Body Committee minutes as follows:
Public Library Board of Trustees meeting of August 9, 2001
- 9. Adopt Ordinance No. XXX N.S. authorizing an amendment to the contract between the City of Paso Robles and the Board of Administration of the California Public Employees' Retirement System. (Council recently adopted the "single-highest year final compensation" benefit for the SEIU and Professional/Manager groups. To retain equity in the groups, it is proposed that the benefit be extended to the Safety Employees Group – Police and Fire. First reading August 7, 2001.
D. Fansler, Management Analyst
- 10. Appoint Sally Coons to the Investment Policy Advisory Committee as the local banking member at large. (Membership in this committee includes a "local banking member at large." This position is currently vacant given the relocation of the former appointee. All banks in the local areas were contacted to solicit interest in serving on the advisory committee. Only two responses were received, Sally Coons with Mission Community Bank and Donna Snyder with West American Bank. Staff is recommending the appointment of Sally Coons as it appears that the West America Bank branch in Paso Robles may be closing, thus Donna Snyder would no longer meet the criteria as established for a "local banking member at large.")
M. Compton, Administrative Services Director

11. Authorize the City Manager to award the construction staking services of Veterans Memorial Bridge amenities to Volbrecht Surveys in the amount of \$11,500. (Volbrecht Surveys is the company that provided construction staking for the bridge-widening project. It is recommended that the City engage their services for the layout of the foundations of the walls and bridge portals.
J. Deakin, Public Works Director
12. Approve the design and placement of the dedication plaque for the Veterans Memorial Bridge.
J. Deakin, Public Works Director
13. Direct the City Manager to prepare and send a letter to the County Board of Supervisors indicating the City Council's support for the Draft 2001 Community Participation Plan for preparing and amending the Consolidated Plan. (The proposed update proposes that the process for soliciting proposals for Community Development Block Grant (CDBG) funds be revised to begin in September, rather than in November, to avoid the yearend crunch and short turn-around times for cities obtaining their council's recommendations regarding which activities (projects or programs) should be listed in the draft Consolidated (annual spending) Plan that is circulated for public comment.)
R. Lata, Community Development Director
14. Authorize the City Manager and City Clerk to process the documentation needed to quitclaim any and all interest in that certain lease recorded December 9, 1959 in Book 1037, page 98, of the Official Records of the County of San Luis Obispo, State of California, to (D. J. & Elnora LaValle), for the purpose of a "city entrance sign." (The site is located in the County of San Luis Obispo at 5125 Stockdale Road. The city entrance sign was relocated to property closer to City boundaries many years ago, but the lease between the City and the LaVallee's, et al, has never been terminated.)
R. Lata, Community Development Director
15. Adopt Resolution No. 01-xxx appropriating 2001 Community Development Block Grant funds. (At its meeting of March 19, 2001, the City Council adopted Resolution 01-55 determining the activities to be funded with the City's 201 allotment of CDBG funds and reallocated CDBG funds from prior years. The US Department of Housing and Urban Development has approved the County of San Luis Obispo's 2001 One-Year Action Plan, which includes the City's proposal for use of the 2001 CDBG funds. The City has already budgeted the amount allocated to Administration and Capacity Building—administrative activities, but needs to make appropriations for the non-administrative projects.)
R. Lata, Community Development Director

ROLL CALL VOTE

PUBLIC DISCUSSION

16. **Use of Septic System and Well, and Request to Deferral of Construction of Street Improvements - 5996 Buena Vista Drive (Butterfield - APN 025-431-30)**

R. Lata, Community Development Director

Consider a request to allow (1) installation of a septic tank, (2) continued use of a well for domestic water, (3) use of a storage tank for fire suppression, and (4) deferral of construction of roadway improvements at 5996 Buena Vista Drive.

OPTIONS:

- a. (1) Adopt Resolution No. 01-xxx authorizing installation of an additional septic system at 5996 Buena Vista Drive (APN 025-431-017), contingent upon the applicant entering into an Agreement, subject to the approval of the City Attorney, 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, and that the applicant's sewer system be designed in conformance with all requirements indicated in Section 14.08.070 (Sewerage System Operations) of the Paso Robles Municipal Code. The obligations and covenants of the Agreement shall run with the land and shall be binding on the successors and assigns of the applicants.
 - (2) Adopt Resolution No. 01-xxx authorizing the continued use of the well at 5996 Buena Vista Drive for domestic and fire suppression purposes, and that a 5,000 gallon storage tank and residential sprinkler system be installed on the premises. Further, the design of the fire suppression system shall be subject to the review and approval of the Chief of Emergency Services, and shall include booster pumps, if deemed necessary. This authorization is contingent upon the applicant entering into an Agreement, subject to the approval of the City Attorney, to participate in the formation of a future assessment district to extend the water line to their property. The obligations and covenants of the Agreement shall run with the land and shall be binding on the successors and assigns of the applicants.
 - (3) Adopt Resolution No. 01-xxx authorizing a deferral of construction of the roadway improvements along the south side of Buena Vista Drive, contingent upon the property owner entering into an Agreement, subject to the approval of the City Attorney, to construct said improvements at the sole cost of the property owner at a time when the City has secured obligations from the owners of at least 50% of the properties fronting the south side of Buena Vista Drive. The obligations and covenants of the Agreement shall run with the land and shall be binding on the successors and assigns of the applicants.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

17. Street Tree Easement Abandonment 01-004 – 543 Palomino Lane (Larson)

R. Lata, Community Development Director

Consider a request to abandon a surplus portion of a fifteen-foot street tree easement along the side frontage of a corner lot, in accordance with the procedural framework established in State law. (Project site is within Tract 613, on the northwest corner of Palomino and Appaloosa. The request to abandon nine feet of the existing fifteen feet of street tree easement would establish a six-foot street tree easement and be consistent with the Municipal Code. The easement has not been utilized for the purpose for which it was created and would, therefore, be considered surplus. If the City decides to implement a street tree-planting program within residential neighborhoods, a six-foot street tree easement would still be provided.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx to approving the abandonment of nine feet of the existing fifteen-foot street tree easement, which would retain a six-foot street tree easement along the street side lot line.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

18. Proposals to Update the City's General Plan

R. Lata, Community Development Director

Consider authorizing execution of Consultant Services Agreements with two firms providing professional assistance to update all eight (8) elements of the City's General Plan. (At Council direction on January 30, 2001, a Request for Proposals was distributed regarding preparation of an update to all eight elements of the General Plan. Four proposals were received and reviewed by an ad hoc committee. The committee recommended selection of Rincon Consultants to prepare the update, working in conjunction with Omni-Means, the firm that had previously been selected by Council to prepare Part 2 of the Circulation Element update.)

OPTIONS:

Consider the recommendation of the ad hoc committee to proceed with selection of Rincon and Omni-Means to prepare the update of the City's General Plan, including all seven required elements plus the Parks & Recreation element, and to approve the following:

- a. Authorize the City Manager and City Clerk to execute Consultant Services Agreements with Rincon and Omni-Means, based on substantial conformance with the attached Scopes of Work and not to exceed the attached budgets.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

19. Sale of Real Property: 406 Spring Street

J. App, City Manager

Consider a sales agreement for 406 Spring Street (a.k.a. Veterans' Memorial Building). This City-owned property is proposed for sale pursuant to the community's commitment to, and funding of, a new veterans' facility (currently under construction). Sale is proposed at the property's appraised value--\$101,000 "as is."

OPTIONS:

- a. Approve, and authorize the Mayor to execute, an Agreement of Purchase and Sale of Real Property - 406 Spring Street - with Pacific Management & Development.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

20. Community Development Block Grant (CDBG)-Funded Downtown Street Lights: Award of Bid and Appropriation of Supplemental Funds

R. Lata, Community Development Director

Consider awarding contract to the lowest bidder to install ornamental streetlights in the Downtown and appropriating supplemental General Funds to complete the project. (Bids were opened on August 21, 2001. Three bids were received; Lee Wilson Electric of Arroyo Grande submitted the lowest responsive bid for 13 light fixtures for \$94,470. The bid exceeds the cost estimate of \$89,000 and does not provide a project contingency for unanticipated field changes—if any.)

OPTIONS:

- a. (1) Adopt Resolution No. 01-xxx to appropriate \$14,600 in General Funds and award the work to the low bidder, Lee Wilson Electric of Arroyo Grande, in the amount of \$94,470;
- (2) Direct staff to file an application for 2002 CDBG funds to reimburse the General Fund for the amount of supplemental funds used for this project.
- b. Adopt alternative Resolution No. 01-xxx to award the work to the low bidder, Lee Wilson Electric of Arroyo Grande, in the amount of \$85,555, eliminating Component H (Bid Schedule Item Nos. 32-36) from the contract.
- c. Adopt alternative Resolution No. 01-xxx awarding the work to the low bidder, Lee Wilson Electric of Arroyo Grande, in the amount of \$80,765, eliminating Component G (Bid Schedule Item Nos. 27-31) from the contract. (Note: This alternative resolution will need to be revised to reflect the desired component and contract amount.)
- d. Amend, modify or reject the above options.

ROLL CALL VOTE

21. Vina Robles Annexation No. 78 Property Tax Negotiation

R. Lata, Community Development Director

Consider a negotiated exchange of property tax revenue for the Vina Robles Annexation. (This matter has been continued from August 21, 2001.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx accepting Negotiated Exchange of Property Tax Revenue and Annual Tax Increment between the County of San Luis Obispo and the City.
- b. Reject the proposed exchange rate and appoint an ad hoc Council committee to renegotiate.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

22. Award Contract for Annual Sidewalk Maintenance

J. Deakin, Public Works Director

Award the Annual Sidewalk Maintenance Project to Brinar Construction. (Funding to perform Annual Sidewalk Maintenance is in the Street Division Operations Budget. August 9, 2001, bids were opened for this work, with the low bid submitted by Brinar Construction in the amount of \$48,566. The Street Division Budget has approximately \$30-35,000, which can be used to remove and replace sidewalks and curbs that have deteriorated. It is proposed that Item Nos. 5 (725/728 13th Street, 4" PCC), 17 (1705 Park Street, 4" PCC), 20 (605 18th Street, 4" PCC) and 26 (725/728 13th Street, curb only) be deleted from the bid proposal.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx to award the Annual Sidewalk Maintenance Project to Brinar Construction in the amount of \$32,141.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

23. Local Agency Formation Commission (LAFCO) Fees

M. Compton, Administrative Services Director

Consider implementation of a new fee to recoup the annual cost (contribution) of LAFCO. (Effective July 1, 2001, LAFCO became a separate distinct entity from the County of San Luis Obispo. The LAFCO board adopted a budget funding mechanism that resulted in a new annual cost to the City in the amount of \$17,200. Council appointed an ad hoc committee to consider imposing a fee to recover the annual cost from annexation applicants. The Committee met August 22, 2001, and is recommending the adoption of a \$100 per acre annexation fee.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx approving a \$100 per acre annexation fee.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER

- 24. Oral report re schedule for presentation of the Water & Sewer Development and User Fee Study.

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION

- 25. Consider application from Darwin Curry (an Alternate Member of the Parks & Recreation Advisory Committee) for appointment as a regular committee member to fill the current vacancy created by the resignation of Jan Roach. (Mr. Curry's current term as Alternate expires on June 30, 2002, as does the position left vacant by Ms. Roach's resignation.)

AD HOC COUNCIL BUSINESS

26. **Adoption of a Resolution of the City of Paso Robles – Paso Robles Bearcats vs. Atascadero Greyhounds**

J. Heggarty, Councilman

Consider approving a resolution challenging the City of Atascadero to participate in an “Annual Weep & Sweep” event, whereby key personnel of the City whose school loses each year’s football game be required to perform refuse abatement duties along a stretch of the winning City’s street(s) no less than one mile in length.

OPTIONS:

- a. Adopt Resolution No. 01-xxx issuing an “Annual Weep & Sweep” challenge to the City of Atascadero.
- b. Amend, modify or reject the above option.

ROLL CALL

27. **Appointment of Ad Hoc Committee - Air Services Analysis Project**

J. Deakin, Public Works Director

Appoint an ad hoc committee to participate in the Air Services Analysis Project.

OPTIONS:

- a. Appoint a one-member ad hoc committee to attend Air Services Analysis meetings, review draft material, provide input, and report back periodically to the full City Council through January 31, 2002.
- b. Amend, modify or reject the above option.

VOICE VOTE

28. **Appointment of Ad Hoc Committee – Special Events**

G. Perruzzi, Recreation Services Manager

Appoint an ad hoc committee to review City policy as it pertains to City-sponsored, co-sponsored and independent special events.

OPTIONS:

- a. Appoint a two-member ad hoc committee to consider continuation of subsidizing special events, to consider budget adjustments to cover overtime costs for special events or consider a cost recovery policy, and report back to the full City Council by December 31, 2001.
- b. Amend, modify or reject the above option.

VOICE VOTE

29. **Appointment of Ad Hoc Committee – Housing Policies**

R. Lata, Community Development Director

Appoint an ad hoc committee to review City policy as it pertains to General Plan Housing Element policy issues, including but not limited to regional fair-share allocations and public housing issues.

OPTIONS:

- a. Appoint a two-member ad hoc committee to assist staff in discussions regarding housing related policies, and report back to the full City Council by December 31, 2001.
- b. Amend, modify or reject the above option.

VOICE VOTE

30. Report from Ad Hoc Committee – Orchard Bungalow Assessment District Projects

J. Deakin, Public Works Director

Hear report from ad hoc committee formed March 6, 2001, to oversee Orchard Bungalow Assessment District (OBAD) projects (surveying, engineering and legal work required to properly describe and map the streets recommended for change).

OPTIONS:

- a. Accept and file report.
- b. Amend, modify or reject the above option.

VOICE VOTE

31. Council Assessment Form

Review assessment form to be used for surveying community opinion of Council's effectiveness.

OPTIONS:

- a. Edit survey questions as appropriate.
- b. Approve assessment survey questions in form provided.
- c. Amend, modify or reject the above option.

ROLL CALL VOTE

PUBLIC COMMENT ON CLOSED SESSION

Public comments limited to Closed Session items only.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

a. Conference with Labor Negotiator

Government Code Section 54957

City Negotiator: James App, City Manager

Employee Organizations: Service Employees International Union (S.E.I.U.)
Police Officers Association (P.O.A.)
Unrepresented Fire
Unrepresented Management
Unrepresented Part-time

b. Conference with Labor Negotiator

Government Code Section 54957

City Negotiator: Mayor Frank Mecham and Councilman Gary Nemeth

Unrepresented employee: James App, City Manager

ADJOURNMENT: to THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, SEPTEMBER 12-15, 2001, AT THE SACRAMENTO CONVENTION CENTER, SACRAMENTO; AND TO THE REGULAR MEETING ON TUESDAY, SEPTEMBER 18, 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 SEPTEMBER 7, 2001