

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 18, 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

- 1. Foreign Exchange Student Recognition** (Kathy Myers & Greg Williams, International Club)

NOTICED HEARINGS

2. **Appeal of Tentative Planned Development 01-012 (Applicant: John Moore)**

R. Lata, Community Development Director

Consider an appeal filed by John Moore of the Planning Commission's action to require restroom facilities to be accessible to airplane hangar tenants. (Continued from prior City Council meetings of August 7 and September 4, 2001. Subject site is located on the east side of Wing Way, south of Rollie Gates Drive at the Municipal Airport. The applicant has proposed to develop the vacant west end of the site with a combination office and aircraft hangar building. The Planning Commission approved the Planned Development at their meeting on July 10, 2001. Conditions to the project include the applicant providing a restroom that would be accessible to the tenants within the lease parcel. The requirement for a restroom is consistent with the Airport Advisory Committee restroom policy.)

OPTIONS:

- a. Uphold the Planning Commission's action of July 10, 2001, and adopt Resolution No. 01-xxx approving Planned Development 01-012 subject to all standard and site-specific conditions, including the requirement to require the applicant to provide for restroom facilities accessible to the lease tenants on the site.
- b. Grant the applicant's appeal request and adopt Resolution No. 01-xxx approving Planned Development 01-012 subject to standard and site-specific conditions with the elimination of site-specific condition No. 7 to require an accessible restroom.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

3. **Appeal of Parcel Map PR 00-168 (Applicant: Ward/Butterfield, et al)**

R. Lata, Community Development Director

Consider an appeal of the Planning Commission's action to require development securities for public improvements associated with a commercial parcel map. (Continued from the City Council meeting of September 4, 2001. The Commission approved the subject parcel on August 28th, which is the division of an approximate 35-acre site into three commercial parcels ranging in size from approximately 6-15 acres. Project is located on north side of Highway 46 East and straddles both the Huer Huero River and Airport Road. Old Paso Robles Boulevard is the western border of the site. The Commission requires that the public improvements for the map be deferred with appropriate securities rather than a full deferral until time of development.)

OPTIONS:

- a. Approve the Appeal of the Planning Commission's August 28, 2001 action and adopt Resolution No. 01-xxx approving Parcel Map PR 00-168 subject to all standard and site-specific conditions, but allowing for deferral of said improvements until time of development.
- b. Amend, modify or reject the above option.

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 4-16 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

4. Approve Warrant Register.
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:
Youth Commission meeting of June 6, 2001
6. Adopt Ordinance No. XXX N.S. amending the Zoning Map established by reference in Section 21.12.020 of the Zoning Code (Title 21) – Rezone 01-003 – Hogue Grips. (Ordinance amends the City's Zoning Map, changing the zoning of the Hogue Grips property from Agriculture to Airport Planned Development [AP-PD]. First reading September 4, 2001.)
R. Lata, Community Development Director
7. Adopt Ordinance No. XXX N.S. amending the Zoning Map established by reference in Section 21.12.020 of the Zoning Code (Title 21) – Rezone 01-005 – 4th & Pine Streets/City Initiated. (Ordinance brings zoning designation of the area into conformance with the General Plan, rezoning an approximate 2.5-acre property from Planned Industrial [PM, PD] to Highway Commercial [C2, PD]. 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. First reading September 4, 2001.)
R. Lata, Community Development Director
8. Authorize the Chief of Police to execute an agreement with Abbey Group Consultants and allocate a total of \$74,000 to purchase the Computer Aided Dispatch and Records Management System (CAD/RMS) and other related software and equipment. (The City received \$107,000 in funding from the California Law Enforcement Equipment Purchase [CLEEP] budget appropriation. The CAD/RMS software technology and related services will provide independent, stand-alone systems capable of interconnectivity with all participating agencies, providing all necessary components for dispatching resources and maintaining historical data.)
D. Cassidy, Chief of Police
9. Adopt Resolution No. 01-xxx authorizing the Mayor to execute a quit claim deed in favor of H.B. Jenne. (The property being deeded is an approximate 8 ft. by 8 ft. area, which is part of a larger, vacant piece of property located between Pine and Park Streets and 10th and 11th Streets. This transaction is to clear title to the larger property to remove a restriction attached to the conveyance when originally sold to H.B. Jenne in January 1960.)
M. Compton, Administrative Services Director
10. Adopt Resolution No. 01-xxx approving a budget appropriation in the amount of \$56,700 from General Fund reserves for an incentive payment to the Paso Robles Chamber of Commerce. (The City and Chamber entered into a 4-year agreement in May 1999, which authorized a base annual payment to the VCB, plus an incentive payment based upon transient occupancy tax collections. Payment is now due.)
M. Compton, Administrative Services Director

11. Adopt Resolution No. 01-xxx approving budget appropriations for fiscal year 2001 budget carry-over requests. (Encumbrances represent carryover requests for unspent budget appropriations for the fiscal year just closed. It has been the policy and past practice of the City that encumbrances are limited to capital outlay, special consultant services, and other non-routine, one-time budget appropriations.)
M. Compton, Administrative Services Director
12. Modify Council's action of September 4, 2001 to add Item No. 26 to the award of the Annual Sidewalk Maintenance contract, and adopt Resolution No. 01-xxx appropriating \$18,600 to Budget Account No. 100.310.5452.162. (On September 4th, Council approved a contract with Brinar Construction at a reduced award amount of \$44,786. The action deleted Bid Item No. 26 in the amount of \$3,780. Staff was directed to return with a resolution to appropriate the unbudgeted amount from the General Fund Reserve to fund the award increase over the budgeted amount.)
J. Deakin, Public Works Director
13. Adopt Resolution No. 01-xxx (1) accepting the Planning Commission's report that the acquisition of a 4.275 gross acre property located generally in the 100 block of Creston Road (Assessor's Parcel No. 009-401-031) is not in conflict with the City's General Plan; (2) approving a Negative Declaration for acquiring the subject property; and (3) authorizing the City Manager to execute the Acquisition Agreement. (Property is vacant, but is zoned R1. The City Attorney, at the direction of the City Council, drafted an Acquisition Agreement to purchase subject property in order to implement the Circulation Element of the General Plan and the Measure D-98 funded widening of the 13th Street Bridge. The Agreement was forwarded to the property owner, Garrison and Associates, and returned to the City with signature agreeing to sell the property.)
J. Deakin, Public Works Director
14. Adopt Resolution No. 01-xxx authorizing execution and recordation of the Final Map and Subdivision Agreement for Tract 2281-5 (Shadow Canyon Estates, LLC), a 25 lot subdivision located east of Creston Road and Golden Hill Road; approving the Subdivision Improvement Agreement for Tract 2281-5, authorizing deferred construction of the subdivision improvements, with an established deadline of September 2002 to complete these improvements and authorizing the Mayor to execute the Agreement; and adopt Resolution No. 01-xxx annexing Tract 2281-5 into the Landscape and Lighting District as Sub-area No. 52E. (The Subdivider has posted securities to guarantee installation of public improvements in accordance with the Subdivision Agreement, the Subdivision Map Act, and the City, and the Tentative Map was approved by the Planning Commission on August 25, 1998. In conformance with the Conditions of Approval, the developer has also executed a Petition requesting that the subdivisions be annexed into the Landscape and Lighting District.)
R. Lata, Community Development Director
15. Adopt Resolution No. 01-xxx authorizing execution and recordation of the Final Map for Tract 2071 (Don Ernst, applicant); approve the Subdivision Improvement Agreement for Tract 2071, authorizing deferred construction of the subdivision improvements, with an established deadline of September 2011 to complete these improvements, and authorizing the Mayor to execute the Agreement; and adopt Resolution No. 01-xxx annexing Tract 2071 into the Landscape and Lighting District as Sub-area No. 60. (This subdivision consists of 10 single-family residential parcels on an approximate 10.75-acre parcel, and is located on the south side of Pacific Avenue, east of the intersection of Merry Hill Road and adjacent to the City limits. The Planning Commission approved the Tentative Map on September 22, 1992.)
R. Lata, Community Development Director

16. Adopt Resolution No. 01-xxx accepting the public improvements of Tract 2284 into the City's maintenance system, and authorizing release of the Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$15,350. (This subdivision is located north of Union Road and west of Golden Hill Road. Street, sewer and water improvements have been completed. It is expected that the few remaining landscape improvements will be completed to the satisfaction of City staff prior to the Council meeting.)
R. Lata, Community Development Director

ROLL CALL VOTE

PUBLIC DISCUSSION

17. **Acceptance of Public Improvements – PR 93-087
(Golden Hill Road / Gilead Lane)**
R. Lata, Community Development Director

Consider the acceptance of public improvements resulting from the development of Parcel Map PR 93-087 (Golden Hill Road/Gilead Lane – Gearhart) into the City's maintenance system. (Subdivision is located on the southeast corner of the intersection of Golden Hill Road and Gilead Lane. A condition of approval was undergrounding of overhead utilities. This condition has not been satisfied, but the developer is working with PG&E to complete.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx accepting the public improvements of PR 93-087 into the City's maintenance system and allowing issuance of certificates of occupancy for this subdivision. Further, that the Performance and Payment Bonds on file be retained until overhead utility lines adjacent this subdivision have been placed underground, in accordance with the Condition of Approval of PR 93-087, and that staff be authorized to release the bonds upon completion of this improvement work. Prior to the release of the Performance and Payment Bonds, the Subdivider shall post a Maintenance Bond in the amount of \$6,985 to guarantee the public improvements for a one-year period from the date of acceptance by the City Council. Said maintenance bond may be released upon the completion of all correction items to the satisfaction of City staff.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

18. **Landscape Maintenance in the Downtown Area**
J. Deakin, Public Works Director

Consider options to provide landscape maintenance in the downtown area.

OPTIONS:

- a. Discontinue the informal arrangement with Tom Flynn and Sons and in-source the tasks into the City staff workload, as reflected in the fiscal year 2002/2003 budget.
- b. Accept Tom Flynn and Sons' proposal to continue downtown maintenance services.
- c. Direct staff to solicit proposals (bids) for downtown maintenance services in accordance with the City Purchase Policy.
- d. Amend, modify or reject the above options.

ROLL CALL VOTE

19. Economic Incentive Agreement – Pacific Hotel Properties I, LLC (Hampton Inn)

R. Lata, Community Development Director

Consider a financial assistance proposal for a Hampton Inn Hotel. (Pacific Coast Hotel Properties I, LLC has received Planning Commission approval to construct a Hampton Inn hotel on property located in the southwest quadrant of the intersection of Highways 46 West and 101. Applicant is seeking financial assistance with permit fees and project development costs. Council's Fiscal Committee [Councilmembers Picanco and Nemeth] discussed the financial assistance request on August 3, 2001 and have recommended approval of a financial assistance agreement.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx approving the Economic Incentive Agreement with the economic incentives recommended by the Council's Fiscal Committee; and authorize the Mayor and City Clerk to execute an Agreement substantially consistent with the attached draft (the final form to be approved by the City Attorney).
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

20. Presentation of Draft Short-Range Transit Plan

M. Compton, Administrative Services Director

Presentation of the draft Short-Range Transit Plan (SRTP) to Council. (Transportation Development Act regulations require public agencies that utilize TDA funds for transit purposes to prepare a SRTP. A SRTP is a 5-year transit plan to guide public agencies with regard to their transit operations and the use of TDA funds.)

OPTIONS:

- a. Provide feedback to the consultant and staff relative to any final modifications to the Short-Range Transit Plan before final acceptance.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

21. **Analysis of C2 Properties in the City Where Mini-Storage Could Be Built (City-Initiated)**

R. Lata, Community Development Director

Review information outlining properties within the C2 Zoning Districts that, subject to a Conditional Use Permit, could potentially be developed with mini-storage land uses. (Council is requested to give staff direction on whether to leave the Code as is, or to draft a code amendment to further limit mini-storage projects on C2 zoned properties.)

OPTIONS:

- a. Conclude that the requirement for a Conditional Use Permit provides an adequate tool to review the appropriateness of mini-storage in the C2 zone.
- b. Conclude that there needs to be further restrictions on where mini-storage could be located and direct staff to initiate a Code Amendment to consider further options.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

22. **Water Tank Property Landscaping**

R. Lata, Community Development Director

Discuss water tank site landscaping design and confirm the design approach. (Subject parcel is located between Golden Hill Road and Rolling Hills Road, north of Creston Road. The approximate 7-acre water tank site is surrounded by 90 acres of property that is currently being graded for development of residential lots.)

OPTIONS:

- a. Provide confirmation that the Landscape Plan exhibits are consistent with the City Council's expectations for the Water Tank site, thereby authorizing the planting installation to proceed.
- b. Provide direction on any expanded or additional planting that may be identified as being needed for the site, and authorize staff to explore other plan and budget alternatives to present to Council at a future date, but authorizing the current plan to move forward as a means of stabilizing the graded slopes.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

23. **Buena Vista Widening and Traffic Signal**

J. Deakin, Public Works Director

Consider contract for widening of Buena Vista Road and the installation of a traffic signal to the low bidder Souza Engineering Contracting in the amount of \$868,869. The low bid exceeds the project engineer's cost estimate, therefore, an additional \$340,000 is required to construct as designed.

OPTIONS:

- a. (1) Adopt Resolution No. 01-xxx to awarding the Buena Vista Widening and Traffic Signal installation project to Souza Engineering Contracting, Inc. in the amount of \$868,869
- (2) Appropriate \$340,000 to Budget Account No. 130-910-5452-307 from Measure D Reserves and transfer \$15,000 from Borkey Specific Plan fees into the Measure D Reserves.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

24. Proposals to Prepare Downtown Parking and Circulation Analysis and Action Plan

R. Lata, Community Development Director

Consider authorizing execution of Consultant Services Agreements with Kimley-Horn, the firm recommended by the selection committee for preparation of a Downtown Parking and Circulation Analysis and Action Plan. (Selection committee included representation from the City Council, Planning Commission, Main Street and the Chamber of Commerce.)

OPTIONS:

- a. Consider the recommendation of the ad hoc Committee to proceed with selection of Kimley-Horn to prepare the Downtown Parking and Circulation Analysis and Action Plan based on a program budget of \$85,000, including a reallocation of \$35,000 from the General Plan update program, and authorize the City Manager and City Clerk to execute a Consultant Services Agreement with Kimley-Horn based on substantial conformance with the attached Scopes of Work and their proposal of not to exceed \$83,360.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

25. Options to Increase Energy Efficiency in the City of Paso Robles

R. Lata, Community Development Director

Consider information regarding the City's options to pursue energy conservation measures and give staff direction regarding areas that they wish to further study.

OPTIONS:

- a. Provide staff with direction as to what issues Council wishes staff to further investigate.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER - None

CORRESPONDENCE

26. **Request to Re-open Downtown City Park Fountain**

J. App, City Manager

Consider request from the Paso Robles Main Street Association to re-open the Downtown City Park fountain.

OPTIONS:

- a. Continue current de-activation protocol to conserve energy.
- b. Direct staff to activate the fountain in the Downtown City Park.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS - None

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: Mayor Frank Mecham and Councilman Gary Nemeth

Unrepresented employee: James App, City Manager

ADJOURNMENT: to THE REGULAR MEETING ON TUESDAY, OCTOBER 2, 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 21, 2001