

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, October 2, 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. **Code Amendment 01-004 (City-Initiated)**

R. Lata, Community Development Director

Consider modifying Section 21.17, Surface Mining and Reclamation, to add language that would require Sand Mining Operators operating out of City limits to pay impact fees to offset their proportional project impacts on road maintenance generated by truck hauling.

OPTIONS:

- a. Consider the Planning Commission's recommendation and introduce for First Reading Ordinance No. XXX N.S. that would amend Section 21.17, Surface Mining and Reclamation, to add language that would require Sand Mining Operators operating out of City limits to pay impact fees to offset their proportional project impacts on road maintenance generated by truck hauling, and set October 16, 2001 as the date for adoption of said Ordinance.
- b. Deny Code Amendment 01-004 and leave the Section 21.17 of the Municipal Code as it currently reads.
- c. Amend, modify or reject the above 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 3-11 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

3. Approve City Council Minutes of August 20, August 21, August 23, September 4 and 18, 2001.
D. Fansler, City Clerk
4. Approve Warrant Register.
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:
Library Board of Trustees meeting of August 9, 2001
Parks and Recreation Advisory Committee meeting of July 10, 2001
Senior Citizen Advisory Committee meeting of July 9 and 18, 2001
6. Proclamation celebrating 50th Anniversary of Second Baptist Church
F. Mecham, Mayor
7. Adopt Resolution No. 01-xxx awarding the sale of the SP Bunkhouse to low bidder, Al Webster. (The City acquired the SP bunkhouse when ownership of the SP Depot was transferred to the City. It was not included in the commercial rehabilitation project with Depot Associates. Council declared the property surplus at the July 17th Council meeting and directed staff to solicit bids for its sale.)
M. Compton, Administrative Services Director

8. Adopt Resolution No. 01-xxx awarding contract for alley rehabilitation to the lowest bidder for this project, Viborg Sand and Gravel. (At its meeting of May 1st, the City Council designated the alley bounded by Park, Pine, 7th and 8th Streets as the alley to be improved with CDBG funds allocated to date. The City received three bids, the lowest responsive bid being submitted by Viborg for \$35,536.)
R. Lata, Community Development Director

9. Adopt Resolution No. 01-xxx amending Resolution No. 01-179 and authorizing the sale of \$7 million in non-callable, capital appreciation general obligation bonds. (At its August 7th meeting, Council authorized the sale of \$7 million par value general obligation bonds. These bonds were structured wherein they were sold as callable, capital appreciation bonds. Due to the current financial market, City's financial advisor has recommended, and staff concurs, that the call provision be eliminated in order to attract more bidders and reduce the effective interest cost.)
M. Compton, Administrative Services Director

10. Approve the installation of a cornerstone/plaque by the Masons at the new Public Safety Center Building, and direct staff to draft a letter requesting said installation. (The Paso Robles Masonic Lodge has expressed a desire to install a cornerstone at the new Public Safety Center Building. In order for the local chapter to secure approval from the Masons International, the City needs to request/approve the cornerstone.)
D. Monn, City Building Official

11. Adopt Resolution No., 01-xxx authorizing execution and recordation of the Final Map & Subdivision Agreement for Tract 2281-4 (Shadow Canyon Estates, LLC); approving the Subdivision Improvement Agreement, authorizing deferred construction of the subdivision improvements, with an established deadline of October 2002 to complete these improvements; and adopt Resolution No. 01-xxx annexing Tract 2281-4 into the Landscape and Lighting District as Sub-area No. 52D. (This is a 25-lot subdivision located east of Creston Road and Golden Hill Road. Currently the City is in the process of resolving concerns raised by the Oak Meadows Subdivision with regards to drainage being discharged from the Shadow Canyon Development, which, in turn, flows through the Oak Meadows development. Acceptance of the final map for Shadow Canyon was postponed pending a resolution of this problem. At this time, a design modification has been submitted to, and reviewed and approved by the City Engineer, who has concluded that the final map is in conformity with the conditions of the tentative map. The City Attorney has concluded that it would be appropriate for the City to approve a final map that is in substantial conformity with the tentative map and that the City can proceed with the approval and recordation of the final map.)
R. Lata, Community Development Director

ROLL CALL VOTE

PUBLIC DISCUSSION

12. **Establishing Truck Weight Limits for City Streets**

R. Lata, Community Development Director

Consider the adoption of an ordinance to prohibit commercial vehicles from traveling on residential streets. (The California Vehicle Code allows local agencies to enact ordinances prohibiting the use of a street by any commercial vehicle or by any vehicle exceeding a maximum gross weight limit. However, if the streets being considered for these weight limits have been constructed or are maintained by funds from the State Highway Account in the State Transportation Fund [Gas Tax], then the Code requires that a Public Hearing be held to consider any objections to the proposed action prior to enacting the Ordinance.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx setting a public hearing for December 4, 2001 at 7:30 p.m. to consider adoption of an ordinance to restrict the use of local streets to commercial traffic, and authorize the City Clerk to publish notice of said hearing in a newspaper of general circulation.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

13. Landscape Maintenance in the Downtown Area

J. Deakin, Public Works Director

Consider the landscape maintenance agreement with Tom Flynn & Sons for downtown services.

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

14. Draft Request for Proposals (RFP), Chandler Ranch Area Specific Plan and Environmental Impact Report (EIR)

R. Lata, Community Development Director

Consider approving the distribution of an RFP seeking proposals to prepare a Specific Plan and EIR for the Chandler Ranch Area. The selection of the most qualified proposal would be subject to City Council approval and Council authorization of the necessary budget to advance funds for preparation of the subject documents. (Pursuant to Council direction at its September 4th meeting, an RFP has been prepared. The costs for the Specific Plan and EIR are not yet known, and any consultant contract would be subject to full City Council approval.)

OPTIONS:

- a. Approve attached RFP for distribution; designate two Councilmembers to represent the City Council in reviewing the proposals for the Chandler Ranch Area Specific Plan and EIR and conducting interviews for that project; and report back to the full City Council by December 31, 2001. The recommendation of the ad hoc Committee would be subject to approval by the City Council and the necessary Council appropriation of funding.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

15. **Energy Fair and Exploration of Related Matters**

R. Lata, Community Development Director

Provide staff direction regarding what steps the City should be taking relative to investigating energy conservation opportunities for the City.

OPTIONS:

- a. Provide comments on the proposed approach to conducting an Energy Fair and, if acceptable, direct staff to proceed with plans for an Energy Fair in Spring 2002. The location would be dependent upon the level of response from participating firms and agencies. This option would not involve pursuit of other energy conservation related measures/regulations at this time.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

16. **Barney Schwartz Park – Program Operations Plan**

B. Partridge, Library & Recreation Services Director

Consider *Program Operations Plan* for Barney Schwartz Park. (Elements included in the Plan are Staffing, Fees and Charges, Concession Operations, and Park Security.)

OPTIONS:

- a. Review the draft proposal for Barney Schwartz Park Program Operation Plan and provide direction to staff.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

17. **Barney Schwartz Park – Allocation of Measure D Funds to Offset Changes to the Construction Contract**

D. Monn, Building Official

Authorize appropriation from Measure D funds to cover costs associated with the completion of Barney Schwartz Park.

OPTIONS:

- a. Adopt Resolution No. 01-xxx approving the allocation from Measure D reserves in the amount of \$250,000 to cover the changes to the contract.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

18. Modifications to Airport Terminal Restaurant

J. Deakin, Public Works Director

Consider modifying the layout and construction of the Airport Terminal restaurant. (Staff solicited proposals to operate the Terminal restaurant, and received one proposal. This proposer has requested certain modifications to the physical layout of the restaurant in order to provide space for daily sit-down dining in a heated/cooled environment. The modifications requested will cost an additional estimated amount of \$300,000. There are some funds remaining in the project, however an additional \$200,000 from Measure D reserves is required to fund the changes. The Airport Restaurant Ad Hoc Committee reviewed this approach, and requested staff to provide this report to the Council.)

OPTIONS:

- a. (1) Approve the concept to expand the restaurant seating area at the Airport Terminal; and
- (2) Adopt Resolution No. 01-xxx appropriating \$200,000 from Measure D Reserves to the Airport Terminal Project for the construction effort; and
- (3) Direct staff (in conjunction with the Airport Restaurant Ad Hoc Committee) to determine the process and schedule for this work, and return to Council to execute an agreement to implement the project.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

19. Request for Proposals – City's Web Site Design

D. McCue, Information Systems Manager

Consider issuing a Request for Proposals (RFP) for Web design and development. (The City's Information Systems Strategic Plan calls for community electronic access to City reference materials, records and services. Council authorized funding for the development and implementation of an Internet web site. An RFP has been developed that outlines the City's needs for design of an Internet web site. The RFP's scope of work is divided into phases; the first to include posting of Council and Planning Commission business.)

OPTIONS:

- a. Approve issuance of RFP for web site design and development services.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER - None

CORRESPONDENCE

20. **Appointment of Ad Hoc Committee – West Coast Kustoms Car Club Labor Day Weekend Car Show**

D. Cassidy, Chief of Police

Consider request from the Paso Robles Main Street Association Board of Directors for Council to meet with representatives of Main Street, the West Coast Kustoms Car Club, and City staff to discuss preparation measures within the City for the Labor Day Weekend car show.

OPTIONS:

- a. Appoint a two-member ad hoc committee to meet with representatives of the Main Street Association, the West Coast Kustoms Car Club, and City staff to discuss preparation measures within the City for the Labor Day Weekend car show, and report back to the full City Council by December 31, 2001.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

21. **Appointment of Ad Hoc Committee – Solid Waste Projects**

J. Deakin, Public Works Director

Appoint an ad hoc committee to participate in overseeing solid waste projects.

OPTIONS:

- a. Appoint a two-member ad hoc committee to oversee solid waste issues and report back periodically to the full City Council through January 15, 2002.
- b. Amend, modify or reject the above option.

VOICE VOTE

22. **Dissolution of Ad Hoc Committee – General Plan**

R. Lata, Community Development Director

Consider dissolving the ad hoc committee formed May 1st to work on reviewing proposals for preparing an update to the City's General Plan.

OPTIONS:

- a. Dissolve the General Plan Ad Hoc Committee as a report from the committee was given to Council on September 4th and the committee has completed its assignment.
- b. Amend, modify or reject the above option.

VOICE VOTE

23. Dissolution of Ad Hoc Committee – Downtown Parking & Circulation

R. Lata, Community Development Director

Consider dissolving the ad hoc committee formed April 17th to work on reviewing proposals for downtown parking and circulation.

OPTIONS:

- a. Dissolve the Downtown Parking and Circulation Ad Hoc Committee as a report from the committee was given to Council on September 18th and the committee has completed its assignment.
- b. Amend, modify or reject the above option.

VOICE VOTE

24. Schedule Library Board of Trustees Applicant Interview/Appointment Date

J. App, City Manager

Schedule interview/appointment date for the Library Board of Trustees Advisory Committee –

- 3 vacancies – 4 applicants
- 3-year staggered terms
- Applicants: Jack Gulshen (currently an alternate member)
Terry Ann Reid (currently an alternate member)
Rebecca Scott
Betsy Watson (incumbent)

VOICE 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 Legal Counsel – Initiation of Litigation

Subdivision (c) of Government Code Section 54956.9

Number of cases: One

b. Conference with Legal Counsel – Existing Litigation

Government Code Section 54956.9(a)

Administrative Hearing

State Water Resources Control Board

Encell Application No. 31115

City of El Paso de Robles Protest filed March 6, 2001

c. 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 JOINT MEETING BETWEEN CITY COUNCILS & SAN LUIS OBISPO BOARD OF SUPERVISORS ON WEDNESDAY, OCTOBER 10, 2001, AT 6:00 PM AT THE EMBASSY SUITES, 333 MADONNA ROAD, SAN LUIS OBISPO; AND TO THE REGULAR MEETING ON TUESDAY, OCTOBER 16, 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 OCTOBER 5, 2001