

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 16, 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. **2001-2002 Local Law Enforcement Block Grant Award**

D. Cassidy, Chief of Police

Consider acceptance of a \$19,200 award granted by the Bureau of Justice Assistance Programs.

OPTIONS:

- a. Adopt Resolution No. 01-xxx authorizing the Police Department to meet the grant conditions and accept the award, allocating the total grant award of \$19,200 and the City's matching contribution of \$2,100 to purchase the identified equipment.
- b. Amend, modify or reject the above option.

2. **Appeal of Planned Development 01-002 (Pro Forms, Inc.)**

R. Lata, Community Development Director

Consider an appeal of the Planning Commission's approval of expansion of an industrial printing business. (Applicant is seeking approval to construct approximately 25,000 square feet of industrial warehouse/manufacturing expansion space at their existing business location on northeast corner of Commerce Way and Scott Street. The General Plan land use designation is Business Park [BP] and the zoning is Industrial [PM]. The specialty printing business is a permitted use in this zoning designation.)

OPTIONS:

(Uphold the Planning Commission's action of September 11, 2001)

- a. **(1)** Adopt Resolution No. 01-xxx approving a Mitigated Negative Declaration status for Planned Development 01-002 (less than significant environmental impacts).
- (2)** Adopt Resolution No. 01-xxx approving Planned Development 01-002.

(Approve all or a portion of the appeal)

- b. Provide direction on which portions of appellants' arguments the City Council concurs, and direct staff to return with a resolution documenting those findings for action.
- c. Amend, modify or reject the above options.

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

3. **Implementation Agreement for Creekside Gardens Seniors Apartments (Peoples' Self-Help Housing Corp.)**

R. Lata, Community Development Director

For the Paso Robles Redevelopment Agency Board to consider an agreement implementing the Participation Agreement between the Agency and Peoples' Self-Help Housing Corp. (PSHHC) for Creekside Gardens Senior Apartments. (This is a proposed 29-unit affordable senior apartment project, to be located on a 7 acre, R-2,PD zoned site on the northwest corner of Oak Hill Road and Nicklaus Drive. Residency would be limited to seniors whose income is 80 percent or less of the County Median Income.)

OPTIONS:

- a. Adopt Resolution No. RA 01-xxx approving an Implementation Agreement to the Participation Agreement for the Creekside Gardens Seniors Apartments Project.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE (Redevelopment Agency)

4. **Implementation Agreement for Canyon Creek Apartments (Peoples' Self-Help Housing Corp.)**

R. Lata, Community Development Director

For the Paso Robles Redevelopment Agency Board to consider an agreement implementing the Participation Agreement between the Agency and Peoples' Self-Help Housing Corp. (PSHHC) for Canyon Creek Apartments. (This is a proposed 68-unit affordable apartment project, to be located on a 7 acre R-2,PD zoned site on the southwest corner of Oak Hill Road and Nicklaus Drive. Residency would be limited to households whose income is 80 percent or less of the County Median Income.)

OPTIONS:

- a. Adopt Resolution No. RA 01-xxx approving an Implementation Agreement to the Participation Agreement for the Canyon Creek Apartments Project.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE (Redevelopment Agency)

5. **Request for Financial Assistance for Senior Housing at Oak Park Public Housing (Paso Robles Housing Authority)**

R. Lata, Community Development Director

For the Paso Robles Redevelopment Agency Board and City Council to consider a request filed by the Paso Robles Housing Authority for financial assistance for senior housing at Oak Park Public Housing.

OPTIONS:

a. Redevelopment Agency Action

- 1) Adopt Resolution No. RA 01-xx appropriating \$25,000 in LMIH Funds to assist the Oak Park Senior housing project with the costs of preparing schematic architectural plans, environmental studies and a revenue/cost analysis.
- (2) Direct City staff to anticipate the possible need to program future LMIH funds toward payment of City development fees, architectural and project management fees, and on- and/or off-site improvements on behalf of the project (the amount of fee payments to be determined by the Agency in conjunction with the budgeting process).

ROLL CALL VOTE (Redevelopment Agency)

City Council Action

- (3) Adopt Ordinance No. 01-xx amending the Redevelopment Budget to appropriate \$25,000 in LMIH funds to assist the Oak Park Senior housing project.
- (4) Direct City staff to prepare an application for 2002 CDBG funds for the design and construction of off-site improvements (28th Street improvements and any necessary upgrades to sewer, water and storm drains that might be necessary).

- b. Amend, modify, or reject the above option.

ROLL CALL VOTE (City Council)

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 6-11 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

6. Receive and file Advisory Body Committee minutes as follows:
Citizens Airport Advisory Committee meeting of July 26, 2001
Citizens Airport Advisory Committee meeting of August 6, 2001
Pioneer Museum Board meeting of September 13, 2001
Paso Robles Youth Commission meeting of September 5, 2001
7. Approve Warrant Register.
M. Compton, Administrative Services Director

8. Adopt Resolution No. 01-xxx authorizing the Consent to Sublease agreements with North American Jet Charter to allow subleasing of office space to Martin & Weyrich Winery and Weyrich Development Company. (NAJC created more space in the Paso Robles Jet Center by completing the second floor. The building is nearly ready to occupy and the Certificate of Occupancy is pending. NAJC is seeking approval to sublet portions of the renovated space to two affiliated companies.)
J. Deakin, Public Works Director
9. Adopt Resolution No. 01-xxx authorizing the City Manager to enter a Consultant Services Agreement with Boyle Engineering to prepare the final design and construction documents for a reservoir in the southwest part of the City for a not-to-exceed fee of \$157,048. (On July 17th, the Council directed staff to begin final design of a water tank to be constructed in the southwest area of the City. Request for Proposals were issued to 15 consultants. Three companies responded to the request. The three proposals were reviewed by staff to determine the most qualified/best approach; Boyle Engineering was evaluated highest.)
J. Deakin, Public Works Director
10. Adopt Resolution No. 01-xxx to accept the public improvements of Tract 1771-4 into the City's maintenance system, and to authorize the release of the Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$85,300. (This subdivision is located north of Charolais Road approximately ¼ mile east of South River Road. The public improvements the developer was required to install have been completed.)
R. Lata, Community Development Director
11. Adopt Resolution No. 01-xxx authorizing execution and recordation of the Final Map and Subdivision Agreement for Tract 2005 (Dallons Drive/J.M.Wilson Development) and authorize recordation of a Constructive Notice concurrently with the recordation of the map requiring the construction and maintenance of a retention basin upon each lot; approve the Subdivision Improvement Agreement for Tract 2005, authorizing deferred construction of the subdivision improvements, with an established deadline of October 2002 to complete these improvements, and that the Mayor be authorized to execute the Agreement; adopt Resolution No. 01-xxx annexing Tract 2005 into the Landscape and Lighting District as Sub-Area No. 61. (This subdivision is an 8-lot subdivision located on both sides of Dallons Drive between Buena Vista Drive and Golden Hill Road. Subdivider has posted securities to guarantee installation of public improvements in accordance with the Subdivision Agreement.)
R. Lata, Community Development Director

ROLL CALL

PUBLIC DISCUSSION

12. **Buena Vista Drive Improvements**

R. Lata, Community Development Director

Consider conceptually approving a modification to the Borkey Area Specific Plan, appropriating Measure D funds for improvements on behalf of Cuesta College. (The Council ad hoc committee is recommending support for a revised Buena Vista Drive street cross-section, median design, and water line installation.)

OPTIONS:

- a. (1) Conceptually approve the revised street design for Buena Vista Drive north of Experimental Station Road;
- (2) Authorize Dick Willhoit to design and install improvements based on the design agreed to by Cuesta College and recommended by the Council ad hoc committee, including installation of the required water line in Buena Vista Drive;

- (3) Adopt Resolution No. 01-xxx appropriating not-to-exceed \$110,000 from Measure D reserves to reimburse Mr. Willhoit for the Cuesta College share of Buena Vista Drive landscaping and paving expenses to be installed in a manner subject to approval of the City Engineer; and
- (4) Direct staff to initiate an Amendment to the Borkey Area Specific Plan to reflect the conceptually approved street design change.

b. Amend, modify or reject the above option.

ROLL CALL VOTE

13. Request to Remove an Oak Tree – 1402 Spring Street

R. Lata, Community Development Director

Consider a request from Jennifer Soni to remove a 6-inch diameter oak tree from the rear of the property at 1402 Spring Street.

OPTIONS:

- a. Adopt Resolution No. 01-xxx authorizing the removal of one (1) 6-inch diameter oak tree located in the rear of the business located at 1402 Spring Street and requiring two (2) replacement oak trees conforming to Section 10.01.040 (E) of the Municipal Code, either on the subject parcel or elsewhere in the City at the direction of the Street Superintendent.
- b. Amend, modify or reject the foregoing option.

14. Measures to Avoid Oak Tree Impact – Charolais Road

R. Lata, Community Development Director

Consider whether or not to require extra-ordinary measures to be undertaken to minimize impacts to a 30-inch oak tree located along the south side of Charolais Road. (Tree is in a lot subdivision located west of Creston Road and north of Charolais Road, Tentative Tract 2351.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx authorizing a design exception that would eliminate the median lane from Charolais Road in order to mitigate impacts on a 30-inch oak tree.
- b. Determine not to approve a design exception, thereby authorizing the applicant to proceed with construction of Charolais Road as proposed, including whatever cutting of the 30-inch oak tree as may be necessary to accommodate the southerly travel lane of Charolais Road.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

15. Use of Septic System – 730 North Trigo Lane (APN 009-451-031)

R. Lata, Community Development Director

Consider a request from property owner Johnna Malone to allow a septic tank installation on undeveloped property at 730 North Trigo Lane. (This 0.62-acre parcel is located approximately 500 feet north of Creston Road.)

OPTIONS:

- a. Adopt Resolution 01-xxx denying installation of a septic system at 730 No. Trigo Lane (APN 009-451-031), and advise the applicant to connect to either of the two available sewer lines.
- b. Adopt Resolution 01-xxx authorizing installation of a septic system based on the distance from the nearest sewer and that there are three neighboring properties of similar size that have been approved with septic systems.
- c. Amend, modify or reject the above option.

16. Sewer and Water Development Impact and User Fees

M. Compton, Administrative Services Director

Presentation of a study that concludes a need to adjust sewer and water development and user fees.

OPTIONS:

- a. Receive presentation and schedule a public workshop regarding this matter at 7:30 p.m. on Tuesday, October 30, 2001.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

17. Preliminary Year End Results – Fiscal Year 2001

M. Compton, Administrative Services Director

Presentation of the City's preliminary Financial results for the fiscal year ended June 30, 2001.

OPTIONS:

- a. Receive and file the Preliminary Year End Results for Fiscal Year 2001.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

18. Airport Terminal Restaurant

J. Deakin, Public Works Director

Direct staff regarding selection of a potential food service provider for the Airport Terminal restaurant.

OPTIONS:

- a. Direct staff to continue negotiations and contract development with the selected proposer with the aim of developing an agreement for restaurant services at the Airport Terminal.
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE

19. Phase V Improvements – North County Transportation Center

J. Deakin, Public Works Director

Consider acceptance of recommendation from the Planning Commission for the final design concept of Phase V improvements at the Transportation Center. (Improvements include installing pedestrian improvements and enhancing the corridor between the Transportation Center and the Downtown District, as well as a decorative wood fence along Hayward Lumber.)

OPTIONS:

- a. Approve the design concept as presented and direct staff to prepare construction documents.
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE

20. Public Information Newsletter – 13th Street Bridge Widening

J. Deakin, Public Works Director

Consider preparing a public outreach newsletter to inform all citizens of the details of the 13th Street Bridge Widening Project.

OPTIONS:

- a. Authorize staff to proceed with the preparation and distribution of a newsletter for the 13th Street Bridge Widening Project.
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE

21. Appointment of General Plan Program Advisory Committee

R. Lata, Community Development Director

Consider appointment of an advisory committee to work with staff and the General Plan consultants on the update of the General Plan.

OPTIONS:

- a. (1) Create a General Plan advisory committee based on the attached sample for a 15-person committee designed to provide a cross-section of community representation;
 - (2) Direct staff to make follow-up contacts to obtain the designated representation;
 - (3) Designate two Council members to this ad hoc committee, which would function through the General Plan Program that is scheduled to be completed June 30, 2003; and
 - (4) Where the representation on the committee is not an established organization, reach a consensus on specific appointments to the Advisory Committee.
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE

22. Appointment of Downtown Parking and Circulation Action Plan Advisory Committee

R. Lata, Community Development Director

Consider appointment of an advisory committee to work with staff and the consultant preparing the Downtown Parking and Circulation Analysis and Action Plan.

OPTIONS:

- a. (1) Create a nine member advisory committee representing the Council, Planning Commission, Chamber of Commerce, and Main Street;
 - (2) Direct staff to make follow-up contacts to obtain the designated representation;
 - (3) Designate two Council members to this ad hoc committee, which would function through the Downtown Parking and Circulation Study that is scheduled to be completed December 31, 2002; and
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE

23. Roberti Z-Berg Competitive Grant – Centennial Park Improvement Projects

B. Partridge, Library and Recreation Services Director

Consider approval of application for grant funds under the Roberti-Z-Berg grant program of the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (Proposition 12). (Grant funding would be used to refurbish and enhance Centennial Park's infrastructure to create a destination entertainment center for children and teenage youth.)

OPTIONS:

- a. Adopt Resolution No. 01-xxx approving an application for grant funds for the Roberti-Z-Berg-Harris Urban Open Space and Recreation Program under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 for the rehabilitation of Centennial Park.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER

24. Council Meeting Schedule - October 16 to December 18

J. App, City Manager

Review and set Council meeting calendar for the two months ending December 18, 2001.

VOICE VOTE

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

25. Orchard Bungalow Ad Hoc Committee

J. Deakin, Public Works Director

Receive and file a report from the Orchard Bungalow ad hoc committee, Councilmembers Gary Nemeth and George Finigan.

OPTIONS:

- a. (1) Receive and file committee minutes; and
 - (2) Extend duration of ad hoc committee to oversee Orchard Bungalow Assessment District projects to April 16, 2002.
- b. Amend, modify or reject the above option.

VOICE VOTE

26. Airport Restaurant Ad Hoc Committee

J. Deakin, Public Works Director

Consider extending the Airport Terminal restaurant proposal review and contract development ad hoc committee, comprised by Councilmembers George Finigan and Jim Heggarty.

OPTIONS:

- a. Extend duration of the Airport Terminal restaurant proposal review and contract development ad hoc committee to March 2002.
- b. Amend, modify or reject the above option.

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 – Existing Litigation

Subdivision (a) of Government Code §54956.9

San Luis Obispo Tribune, a division of Monterey Newspapers, Inc. (Plaintiff) vs. City of El Paso de Robles (Defendants)

Case No. CV 000591

b. Conference with Legal Counsel – Existing Litigation

Subdivision (c) of Government Code Section 54956.9

Jack Munari (Plaintiff) vs. City of El Paso de Robles and the California Department of Fish and Game, et al

Case No. CV 010860

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 WATER & SEWER FEES WORKSHOP TUESDAY, OCTOBER 30, 2001, AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR MEETING ON TUESDAY, NOVEMBER 6, 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 19, 2001