

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, December 4, 2001 7:30 PM**

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

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**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.

### **AGENDA ITEMS TO BE DEFERRED (IF ANY)**

If applicable, staff to advise Council of any item on agenda that is to be deferred or tabled.

### **PRESENTATIONS**

1. **2001 PRHS National Livestock Judging Champions**

**PUBLIC HEARING**

2. **Code Amendment 01-005, Commercial Mini Storage (City Initiated)**

R. Lata, Community Development Director

Open and continue this item to the Council meeting on December 18, 2001, in order to give staff time to report the Planning commission's recommendations from their review at their hearing on November 27, 2001.

**OPTIONS:**

- a. Open the public hearing and continue this item to the Council meeting of December 18, 2001.
- b. Amend, modify or reject the above option.

3. **Ordinance Establishing Maximum Vehicle Weight Limits on Residential Streets**

R. Lata, Community Development Director

Open and continue a public hearing to consider an ordinance to establish maximum vehicle weight limits on residential streets.

**OPTIONS:**

- a. Open the public hearing and after receiving testimony continue the public hearing to the Council meeting of February 5, 2002.
- b. Amend, modify or reject the above option.

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

4. **Termination of Owner Participation Agreement with Martin Resorts, Inc. (Paso Robles Inn)**

R. Lata, Community Development Director

For City Council and Redevelopment Agency to consider authorizing execution of an Agreement that would terminate the Owner Participation Agreement (OPA) between the City, Agency and Martin Resorts, Inc. (In a letter dated 11 July, Martin Resorts requested termination of the OPA.)

**OPTIONS:**

- a. Adopt Resolution No. RA 01-xx authorizing the Chairman and Secretary of the RDA to execute attached Termination Agreement.

**ROLL CALL VOTE (REDEVELOPMENT AGENCY)**

- b. Adopt Resolution No. 01-xxx authorizing the Mayor and City Clerk to execute the attached Termination Agreement.

**ROLL CALL VOTE (CITY COUNCIL)**

- c. Amend, modify or reject the above options

**ADJOURN TO CITY COUNCIL MEETING**

**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 5-8 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

5. Approve City Council minutes of November 20, 2001  
D. Fansler, City Clerk
6. Approve Warrant Register.  
M. Compton, Administrative Services Director
7. Receive and file Advisory Body Committee minutes as follows:  
Citizens Airport Advisory Committee meeting of September 27, 2001  
Housing Authority Board Meeting of November 13, 2001  
Pioneer Museum Board meeting of November 18, 2001  
Youth Commission Committee meeting of September 22 and October 3, 2001
8. Adopt Resolution No. 01-xxx awarding design services contract to Sawyer, Inc. to rehabilitate the Municipal Bath House for a not-to-exceed fee of \$19,400. (On October 16<sup>th</sup>, staff issued a Request for Proposals to twelve local architects to perform architectural design services to assist staff on this project. The City received only one response from Sawyer, Inc. of Santa Margarita.)  
J. Deakin, Public Works Director

**ROLL CALL**

## PUBLIC DISCUSSION

### 9. **Request to Remove Oak Trees – Blackburn Street**

R. Lata, Community Development Director

Consider a request to remove three oak trees—a 12-inch diameter tree, a 8-inch diameter tree, and a 8-inch diameter double trunk tree. (Plans have been submitted to the City to construct Blackburn Street, east of Leland Street, in order to satisfy Municipal Code requirements of providing street improvements adjacent to property proposed for development. Staff is proposing realignment of the roadway because of potential impacts to one of the larger and healthier oak trees located in this area. Realignment would necessitate the removal of the three oak trees.) ITEM CONTINUED FROM NOVEMBER 20<sup>TH</sup> COUNCIL MEETING.

#### OPTIONS:

- a. Adopt Resolution No. 01-xxx authorizing the removal of one 8-inch diameter double trunk oak (Tree No. 6), one 12-inch diameter oak (Tree No. 7), and one 8-inch diameter oak (Tree No. 8) in order to minimize impacts to a 14-inch diameter oak (Tree No. 12); and requiring two (2) replacement oak trees conforming to Section 10.01.040 (E) of the Municipal Code for each tree removed, either on the subject parcel, or elsewhere in the City, at the direction of the Street Superintendent. Said replacement oak trees shall be planted or furnished to the City prior to issuance of an encroachment permit to construct the Blackburn Street improvements. Additionally, the applicant shall design Blackburn Street along an alignment shifted away from Tree No. 12, the separation of which shall be recommended by a certified arborist.
- b. Amend, modify or reject the foregoing option.

### 10. **Request to Remove Oak Tree – 1403 Stoney Creek Road**

R. Lata, Community Development Director

Consider a request to remove a 58-inch diameter oak tree at 1403 Stoney Creek Road. (Original request from Creston Courtyard Homeowners Association to trim this oak culminated in a report warning that the tree was unstable. That, coupled with the extensive branch removal which would be required to ensure safety, would leave little of the tree remaining.)

#### OPTIONS:

- a. Adopt Resolution No. 01-xxx authorizing removal of a 58-inch diameter oak tree at 1403 Stoney Creek Road, and requiring two (2) replacement oak trees conforming to Section 10.01.040 (E) of the Municipal Code for each tree removed, 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.

#### ROLL CALL VOTE

### 11. **Intersections of Buena Vista Drive/River Oaks Drive/Dallons Drive and River Oaks Drive/Clubhouse Drive – Installation of All-way Stop Control**

R. Lata, Community Development Director

Consider adoption of resolutions designating the intersections of Buena Vista Drive/River Oaks Drive/Dallons Drive and River Oaks Drive/Clubhouse Drive as all-way stop

intersections (The addition of stop signs at these two intersections will provide for controlled crossing for students attending both Cuesta College and Kermit King Elementary School.)

**OPTIONS:**

- b. Adopt Resolution No. 01-xxx designating the intersections of Buena Vista Drive / River Oaks Drive / Dallons Drive and River Oaks Drive / Clubhouse Drive as stop intersections, and require all vehicles approaching the intersections to stop before entering the intersections.
- b. Amend, modify or reject the foregoing option.

**ROLL CALL VOTE**

**12. City Web Site Design and Development – Award of Contract**

D. McCue, Information Systems Manager

Consider awarding contract for the design and development of the City’s Web Site.

**OPTIONS:**

- a. (1) Authorize the City Manager to execute a Consultant Services Agreement for \$22,500 with Ernest & Allen for both Phases I and II.  
  
(2) Adopt Resolution No. 01-xxx appropriating an additional \$6,500 from General Fund Reserves.
- b. Authorize the City Manager to execute a Consultant Services Agreement with Ernest & Allen for \$15,500 for Phase I only
- c. Amend, modify or reject the foregoing options.

**ROLL CALL VOTE**

**13. JPaul Winery Comment Letter**

J. Deakin, Public Works Director

Review proposed winery/tasting room development on Dry Creek Road and determine if comments to the County Planning Commission are in order.

**OPTIONS:**

- a. Approve attached letter as presented.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**14. Annual Transportation Development Act Funding Claim**

M. Compton, Administrative Services Director

Consider approval of the annual Transportation Development Act (TDA) claim for fiscal year 2002. (The City must file an annual claim with the San Luis Obispo Council of Governments in order to receive its allocation of TDA funds.)

**OPTIONS:**

- a. Adopt Resolution No. 01-xxx approving the annual claim for Transportation Development Act funding.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**CITY MANAGER**

**15. Select Date for First Council Meeting in January 2002**

Consider changing day of first Council meeting in January.

**OPTIONS:**

- a. Select Wednesday, January 2<sup>nd</sup>, as date for first Council meeting in January 2002.
- b. Amend, modify or reject the foregoing option.

**ROLL CALL VOTE**

**CORRESPONDENCE** – None

**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, 2<sup>nd</sup> Floor

**a. Conference with Legal Counsel – Anticipated Litigation**

Pending litigation pursuant to Subdivision (c) of Government Code §54956.9

Number of cases: One

**b. Conference with Real Property Negotiator\***

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 149 Creston Road

Owner of Property: John Danner

Provide City Negotiator with authority regarding purchase, price, and terms of payment

\*RE 13<sup>TH</sup> STREET BRIDGE WIDENING PROJECT

**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 BARNEY SCHWARTZ PARK WORKSHOP ON THURSDAY, DECEMBER 6, 2001, AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; TO THE LIBRARY BOARD & PLANNING COMMISSION INTERVIEWS ON THURSDAY, DECEMBER 13, 2001, AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR MEETING ON TUESDAY, DECEMBER 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 DECEMBER 7, 2001***