

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 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.

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 - None

NOTICED HEARINGS

1. **General Plan Amendment 01-04, Airport Area Specific Plan (City Initiated)**

R. Lata, Community Development Director

Consider a City initiated General Plan Amendment to remove the Airport Area Specific Plan Overlay from the General Plan.

OPTIONS:

- a. (1) Adopt Resolution No. 01-xxx granting a Negative Declaration Status to General Plan Amendment 01-04; and
 - (2) Approve Resolution No. 01-xxx amending the General Plan Land Use Element and maps regarding the Airport Specific Plan Overlay (General Plan Amendment 01-040).
- b. Amend, modify, or reject the above option.

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

R. Lata, Community Development Director

Consider City Initiated Code Amendment that would regulate the location of commercial storage, RV/vehicle storage and other outdoor storage facilities in the C2, C3, PM and M zones.

OPTIONS:

- a. (1) **Environmental Determination** - Adopt Resolution No. 01-xxx granting a Negative Declaration for Code Amendment 01-005 regarding the regulation of commercial/mini storage and outdoor storage facilities throughout the City (Code Amendment 01-005).
 - (2) **Code Amendment 01-005** – Introduce for First Reading an ordinance that would amend the City's Zoning Code to regulate the location of commercial storage RV/vehicle storage and other outdoor storage facilities in the C2, C3, PM and M zones and modify the Land Use Matrix accordingly, and set January 3, 2002, as the date for adoption of said ordinance.
- b. Amend, modify, or reject the above option.

3. **Resolution Amending the Undergrounding District Area #1 for Overhead Utilities**

D. Monn, Building Official

In October of 2000, Council established Undergrounding District Area #1 for the purpose of undergrounding the overhead utilities adjacent to the proposed Public Safety Center. Subsequently, PG&E and Pacific Bell informed staff that two poles that are not part of the current undergrounding district need to be undergrounded. As this was not included in the original District, the City must either pay for additional undergrounding out of Measure D

funds allocated to the construction of the Public Safety Center or amend the undergrounding district to include the east side of Park Street between 10th and 11th Streets.

OPTIONS:

- a. Approve Resolution No. 01-xxx amending Undergrounding District Area #1 approved in October 2000 to include the east side of Park Street between 10th and 11th Streets, thereby allowing the work to be accomplished using Rule 20 funds.
- b. Amend, modify, or reject the above option.

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 4-21 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 meetings of September 22, October 3, and November 7, 2001
6. Combine two ad hoc committees into one and extend the duration of the committee to March 31, 2002. (On September 4, 2001, Council appointed Councilmembers Picanco and Finigan to review City policy as it pertains to City-sponsored, co-sponsored and independent special events. On October 4, 2001; Council appointed Councilmembers Picanco and Finigan to meet with West Coast Kustoms Car Club and representatives from Main Street Association to discuss preparation measures within the City for the Labor Day Weekend Show. As both committees are related to special event issues, staff is recommending combining the committees.)
G. Perruzzi, Recreation Services Manager
7. Extend duration of ad hoc committee formed August 21st to review indemnification clauses in City contracts to February 28, 2002.
J. Seitz, Deputy City Attorney
8. Extend duration of ad hoc committee formed October 2nd to review proposals for the Chandler Ranch Area Specific Plan and EIR to February 28, 2002.
R. Lata, Community Development Director
9. Extend duration of ad hoc committee formed September 4th to review housing related policies relevant to the General Plan Housing Element to June 30, 2003.
R. Lata, Community Development Director
10. Close out the ad hoc committee formed June 19th to work on reviewing a financial assistance request from the Hampton Inn applicant. The committee report was presented at the September 18th Council meeting.
R. Lata, Community Development Director

11. Close out the ad hoc committee formed November 6th to review proposals to prepare Fiscal Impact Analysis in conjunction with the General Plan Update Program. Committee has completed its assignment.
R. Lata, Community Development Director
12. Adopt Resolution No. 01-xxx accepting public improvements of Tract 2281-2 into 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 for Tract 2281-2, or pending the outcome of the Planning Commission's consideration of the applicant's request for relief from this Condition of Approval, 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 \$98,700 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. (This subdivision is located east of Creston Road and east of Golden Hill Road. AT THE TIME OF REPORT PREPARATION, THE PUBLIC IMPROVEMENTS HAD NOT BEEN CONSTRUCTED TO SATISFACTION OF CITY STAFF. CONTRACTOR INDICATED THAT HE WOULD COMPLETE THE IMPROVEMENTS DURING THE WEEK OF DECEMBER 10TH. HOWEVER, IF IMPROVEMENTS ARE NOT COMPLETED PRIOR TO DECEMBER 18TH, STAFF WILL REQUEST THAT THIS ITEM BE CONTINUED.)
R. Lata, Community Development Director
13. Adopt Resolution No. 01-xxx authorizing execution and recordation of the Final Map and Subdivision Agreement for Tract 2269 (Golden Hill Industrial Park); if the map-check process is not complete prior to December 18th, authorizing the City Engineer to accept the Final Map for recordation, contingent upon satisfactory completion of the map-check process prior to year's end; (2) approve the Subdivision Improvement Agreement for Tract 2269, authorizing deferred construction of the subdivision improvements, with an established deadline of December 2006 to complete these improvements, and authorizing the Mayor to execute the Agreement; and (3) adopt Resolution No. 01-xxx annexing Tract 2269 into the Landscape and Lighting District as Sub-Area No. 37. (This is a 21-lot industrial park subdivision located east of Golden Hill Road, approximately one-half mile north of State Highway 46.)
R. Lata, Community Development Director
14. Adopt Resolution No. 01-xxx authorizing execution and recordation of the Final Map and Subdivision Agreement for Tract 1771-5 (Ennis-Langdon Homes, Inc.); (2) approve the Subdivision Improvement Agreement for Tract 1771-5, authorizing deferred construction of the subdivision improvements, with an established deadline of December 2002 to complete these improvements, and authorizing the Mayor to execute the Agreement; and (3) adopt Resolution 01-xxx annexing Tract 1771-5 into the Landscape and Lighting District as Sub-Area No. 45D. (This is a 41-lot subdivision located on the north side of Charolais Road between South River Road and Creston Road.)
R. Lata, Community Development Director
15. Adopt Resolution No. 01-xxx authorizing execution and recordation of the Final Map and Subdivision Agreement for Tract 1771-6 (Ellsworth); (2) approve the Subdivision Improvement Agreement for Tract 1771-6, authorizing deferred construction of the subdivision improvements, with an established deadline of December 2002 to complete these improvements, (3) approve the Common Driveway and Utility Easement Maintenance Agreement affecting Lots 194 and 195, and authorize the Mayor and City Clerk to execute said Agreement; and (4) adopt Resolution 01-xxx annexing Tract 1771-6 into the Landscape and Lighting District as Sub-Area No. 45E. (This is a 28-lot subdivision located on the north side of Charolais Road between South River Road and Creston Road.)
R. Lata, Community Development Director

16. Adopt Resolution No. 01-xxx accepting the recordation of Parcel Map PRAL 01-007 (Golden Hill Road/Linne Industrial); and (2) adopt Resolution No. 01-xxx annexing Parcel PRAL 01-007 into the Landscape and Lighting District as Sub-Area No. 62. (This is a 2-lot subdivision located on the east side of Golden Hill Road, between State Highway 46 and Union Road.)
R. Lata, Community Development Director
17. Adopt Resolution No. 01-xxx authorizing execution and recordation of the Final Map and Subdivision Agreement for Tract 2351 (Harrod); (2) approve the Subdivision Improvement Agreement for Tract 2351, authorizing deferred construction of the subdivision improvements, with an established deadline of December 2002 to complete these improvements; (3) approve the Common Driveway and Utility Easement Maintenance Agreement affecting Lots 58-60, and authorize the Mayor and City Clerk to execute said Agreement; and (4) adopt Resolution 01-xxx annexing Tract 2351 into the Landscape and Lighting District as Sub-Area No. 63. (This is a 60-lot subdivision located west of Creston Road and north of Charolais Road.)
R. Lata, Community Development Director
18. Adopt Resolution No. 01-xxx accepting the recordation of Parcel Map PR 00-168, and reject without prejudice the Offer of Dedication of the new alignment of Airport Road. If the map-check process is not complete prior to the Council meeting, authorize the City Engineer to accept the Final Map for recordation, contingent upon satisfactory completion of the map-check process prior to year's end; and (2) adopt Resolution No. 01-xxx annexing Parcel PR 00-168 into the Landscape and Lighting District as Sub-Area No. 65. (This is a 3-lot subdivision located on both sides of Airport Road, north of State Highway 46.)
R. Lata, Community Development Director
19. Adopt Resolution No. 01-xxx awarding the contract to replace two pool heaters to the low bidder, Ahrens Corporation, for the amount of \$41,064; (2) authorizing the City Manager to sign the contract for the project on behalf of the City; and (3) approving a budget appropriation for the purchase of two swimming pool heaters. (Heaters are for the Municipal Pool and Centennial Park Pool. The existing heater at Centennial Park is not functional and the existing heater at the Municipal Pool is running at only 25% efficiency. The option to Council to replace both pool heaters is to take advantage of both energy savings and volume purchasing economics.)
J. Deakin, Public Works Director
20. Adopt Resolution No. 01-xxx awarding a contract to remove trees to California Growing Concern, Inc. in the amount of \$59,490. (Contract is to remove diseased Modesto ash trees throughout the City that are diseased by mistletoe. The City advertised for bids to perform this work and bids were opened on December 6th. C&C Tree Service submitted the apparent low bid in the amount of \$49,500. However, upon review, this company lacked the required C-27 contractor's license. The next bid considered responsive was submitted by California Growing Concern, Inc.)
J. Deakin, Public Works Director
21. Approve the City Manager Employment Contract and authorize the Mayor to execute the agreement. (This contract replaces the original contract, dated August 19, 1997.)
I. Yang, City Attorney

ROLL CALL

PUBLIC DISCUSSION

22. **Sewer and Water Development Impact and User Fees**

M. Compton, Administrative Services Director

Consider adoption of sewer and water development impact and user fee adjustments.
CONTINUED FROM THE CITY COUNCIL MEETING OF NOVEMBER 20, 2001

OPTIONS:

- a. (1) Adopt Resolution No. 01-xxx approving revised sewer and water development impact fees.
- (2) Introduce for First Reading an ordinance that would modify sewer and water user fees, and set January 3, 2002, as the date for adoption of said ordinance.
- (3) Adopt the low-income discount program as developed by staff.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

23. **Emergency Services Growth Management Plan Funding**

J. App, City Manager

Consider the financial implications of a ten-year tax to temporarily aid in funding a portion of the Emergency Services Growth Management Plan. (At its meeting of November 20th, the City Council indicated an interest in placing a special tax ballot measure before the voters. A ten-year financial projection was requested so that the effect on City resources could be evaluated.)

OPTIONS:

- a. Direct staff to develop a scope of work and options for implementing a comprehensive public education program regarding long-term funding challenges.
- b. Direct staff to initiate steps to place a Special Tax Ballot Measure before the voters.
- c. Amend, modify or reject the foregoing options.

24. **Traffic Calming Study Within Rambouillet and Nicklaus Corridor**

J. Deakin, Public Works Director

Consider approving a budget appropriation of \$10,000 from General Fund Reserves to analyze the neighborhood concerns at Rambouillet and Nicklaus Corridor. (To address residents' complaints of vehicle speeding within the Rambouillet Corridor, the Streets and Utilities Committee concluded in September that the City should engage the services of a Traffic Engineer to perform a comprehensive analysis of this area, as well as Nicklaus Street, to address traffic calming. Council directed staff on November 6th to solicit a Scope of Work and Fee Proposal from Omni-Means, as they are already the City's consultant to update the Circulation Element of the General Plan.)

OPTIONS:

- a. (1) Adopt Resolution No. 01-xxx approving a one-time budget appropriating of \$10,000 from General Fund Reserves to Budget Account No. 100-310-5235-161 to prepare a comprehensive traffic calming study.
- (2) Direct the City Manager to enter a Consultant Services Agreement with Omni-Means to analyze the Rambouillet and Nicklaus Corridor for a not-to-exceed fee of \$9,963.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

25. Citizen Involvement Survey, General Plan Update

R. Lata, Community Development Director

Consider the contents of a proposed survey of Paso Robles area households with regards to the City's General Plan Update program. (The approved Scope of Work for the General Plan Update program includes conducting a Citizen Involvement Survey modeled after the approach taken for the 1991 General Plan program. During the 1990-91 General Plan program, the questionnaire was a primary source of information for the Planning Commission and City Council, with over 21 percent of the community responding to the survey. The results of the 2002 survey will be presented during a "Planning Festival," which will also serve as the first community workshop on the General Plan program to be held March-April 2002.)

OPTIONS:

- a. Confirm the scope of questions to be included in the 2002 General Plan Citizen Involvement Questionnaire.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

26. Bicycle Park

B. Partridge, Library & Recreation Services Director

Consider public requests to fund a bicycle park on City property. (Bicycle enthusiasts have expressed a desire for a designated area/park within City limits for the purpose of controlled and contained riding of bicycles. The existing skate park posted policy prohibits bicycle riding in the skate park. Local riding groups have indicated a willingness to begin efforts, similar to those which resulted in construction of the Pioneer Skate Park, which might result in the construction of a bike park.)

OPTIONS:

- a. Request advisory bodies—Parks & Recreation Advisory Committee and the Paso Robles Youth Commission—to review bike enthusiasts’ request in the context of other priorities/projects/programs currently under review, and/or in the Parks and Recreation Element of the General Plan Update, and provide suggestions for future Council goals/priorities and/or budget considerations.
- b. Provide direction to staff to initiate a bike park project.
- c. Amend, modify or reject the foregoing options.

ROLL CALL VOTE

27. City Council Policies and Procedures

J. App, City Manager

Consider adopting written Council policies and procedures. (In April 2001, the Council identified the development and documentation of Council policies as one of seventeen priorities. Council appointed Mayor Frank Mecham and Councilmember Gary Nemeth to an ad hoc committee to review the draft policies and procedures, and is recommending consideration by the entire Council at this time.)

OPTIONS:

- a. Adopt Council Policies & Procedures and direct staff to initiate implementation review.
- b. Identify, and direct staff to evaluate, substantive modifications and/or additions to the Draft Policies & Procedures.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

28. City Treasurer

J. App, City Manager

Consider placing a ballot question concerning the office of the City Treasurer. (The office of the City Treasurer is currently an elected position. Council has asked that consideration for a ballot measure making this position an appointed position be placed on the agenda for discussion.)

OPTIONS:

- a. Determine whether a ballot question regarding the office of the City Treasurer should be placed before the voters and provide appropriate direction.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

29. Motorola Contract Negotiation

D. Cassidy, Chief of Police

Consider a contract with Motorola for the design and installation of a complete communications system in the new Public Safety Center. (In August 2001, the Police Department recommended the selection of Motorola as a sole-source provider for the design and installation of the communications system. Staff and attorneys are currently in final negotiations regarding the statement of work for the project. Motorola has provided approximately \$40,000 worth of incentives for the City to reach agreement and execute the contract by December 21, 2001.)

OPTIONS:

- a. Authorize the City Manager to negotiate and execute a final contract with Motorola, pending final review and approval by the City Attorney, for the design and installation of the new Public Safety Facility Communications Center, including the “enhanced” radio system improvements, not to exceed a total contract cost of \$555,000.
- b. Authorize the City Manager to negotiate and execute a final contract with Motorola, pending final review and approval by the City Attorney, for the design and installation of the new Public Safety Facility Communications Center, excluding the “enhanced” radio system improvements, not to exceed a total contract cost of \$495,000.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

CITY MANAGER - None

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

30. Appointment of Ad Hoc Committee –Energy Conservation Proposals

J. Deakin, Public Works Director

Appoint an ad hoc committee to review energy conservation proposals. (The State has asked all jurisdictions in California to help resolve the energy crisis. Utilizing alternative energy resources and increasing power generation capability are potential means to assist resolving the crisis. Pacific Waste Services proposes to lease land from the City to locate solar production facilities and contract with the City to purchase the energy generated. The proposal presumes grant funding from the State of \$2.5 million.)

OPTIONS:

- a. Appoint a two-member ad hoc committee to meet with staff to review the PWS proposal, and report back to the full City Council by March 19, 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 Real Property Negotiator*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 301 Creston Road, Paso Robles (APN 009-410-024)*

Owner/Negotiator: Dianna Lynn West and Craig Warren West

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

*RE 13TH STREET BRIDGE WIDENING PROJECT

b. Conference with Real Property Negotiator*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 101 Creston Road, Paso Robles (APN 009-401-018)*

Owner/Negotiator: Walter N. and Donna L. Heer

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

*RE 13TH STREET BRIDGE WIDENING PROJECT

c. Conference with Real Property Negotiator*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 1401 N. River Road, Paso Robles (APN 025-501-014)*

Owner/Negotiator: B. W. The Plumbing Company

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

*RE 13TH STREET BRIDGE WIDENING PROJECT

d. Conference with Real Property Negotiator*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 149 Creston Road, Paso Robles (APN 009-401-030)*

Owner/Negotiator: John Danner and Lucille Danner

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

*RE 13TH STREET BRIDGE WIDENING PROJECT

e. Conference with Real Property Negotiator*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 1142 13th Street, Paso Robles (APN 009-051-013)*

Owner/Negotiator: William Jacobson

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

*RE 13TH STREET BRIDGE WIDENING PROJECT

ADJOURNMENT: to THE REGULAR MEETING ON **THURSDAY, JANUARY 3, 2002*** AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE REGULAR MEETING OF JANUARY 1, 2002, HAS BEEN RESCHEDULED
FOR THE NEW YEAR'S HOLIDAY**

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR COUNCIL
MEETING IS DECEMBER 21, 2001***