

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, February 5, 2002 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 - None**

**NOTICED HEARINGS**

**1. Code Amendment Regarding Revisions to Oak Tree Preservation Ordinance**

R. Lata, Community Development Director

Open and continue public hearing on a revision to the City's Oak Tree Preservation Ordinance. CONTINUED FROM JANUARY 15, 2002.

**OPTIONS:**

- a. Continue the Public Hearing to consider a revision to the City's Oak Tree Preservation Ordinance to the Council meeting of February 19, 2002.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

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

R. Lata, Community Development Director

Open and continue public hearing regarding an ordinance establishing maximum vehicle weight limits on residential streets. CONTINUED FROM DECEMBER 4, 2001.

**OPTIONS:**

- a. Continue the Public Hearing regarding an ordinance establishing maximum vehicle weight limits on residential streets to July 16, 2002.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**3. Adoption of Updated Bikeway Master Plan**

J. Deakin, Public Works Director

Consider adopting a resolution to approve the Updated Bikeway Master Plan and adopt a Negative Declaration. CONTINUED FROM JANUARY 15, 2002.

**OPTIONS:**

- a. **(1)** Adopt Resolution No. 02-xx granting a Negative Declaration for the Bikeway Master Plan Update.  
**(2)** Adopt Resolution No. 02-xx approving the updated Bikeway Master Plan.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

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

**DISCUSSION**

**4. Creekside Gardens Seniors Apartments – Second Implementation Agreement to Participation Agreement (Peoples’ Self-Help Housing Corp.)**

R. Lata, Community Development Director

Consider a Second Implementation Agreement amending the Participation Agreement between the Redevelopment Agency and Peoples’ Self-Help Housing Corp. (PSHHC) for Creekside Gardens Senior Apartments. The proposed amendment would allow for all or a portion of the \$435,000 in Low and Moderate Income Housing (LMIH) Funds to be used for site acquisition and off-site improvements as well as for on- and off-site improvements.

**OPTIONS:**

- a. Adopt Resolution No. RA 02-xx approving a Second Implementation Agreement to the Participation Agreement for the Creekside Gardens Seniors Apartments project. Said Second Implementation Agreement converts the LMIH assistance from a grant to a loan that is forgiven upon completion of the project and specifies deadlines to commence construction of the project no later than November 30, 2003, and complete construction within 24 months of its commencement.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE (REDEVELOPMENT AGENCY)**

**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 5-19 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.**

- 5. Approve City Council minutes of January 3 and 15, 2002.  
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 meetings of October 25, 2001 and December 13, 2001  
 Housing Authority Board meeting of January 8, 2002  
 Library Board of Trustees meeting of December 13, 2001  
 Parks and Recreation Advisory meeting of October 9, 2001  
 Pioneer Museum Board meeting of January 10, 2002  
 Transit Advisory meeting of November 7, 2001  
 Youth Commission meeting of December 5, 2001
8. Proclamation celebrating February 26, 2002 as *Spay Day USA* and February 2002 as *Spay/Neuter Month*  
 F. Mecham, Mayor
9. Proclamation proclaiming February 2002 as *Scout Anniversary Month*  
 F. Mecham, Mayor
10. Proclamation recognizing February 17-23, 2002 as *National Engineers Week*.  
 F. Mecham, Mayor
11. Adopt Resolution No. 02-xx approving the application for State grant funding for Airport Improvement Project No. 14, Airport Land Use Plan. (Council approved a contract in December 2000 to update the Airport Master Plan, assuming Federal Aviation Administration [FAA] and State Department of Transportation [Caltrans] funding. This application is for funds from Caltrans to match the recently approved FAA grant funding.)  
 J. Deakin, Public Works Director
12. Adopt Resolution No. 02-xx approving a budget appropriation from the Street Tree Fund in the amount of \$12,000 for purchasing 200 replacement street trees. (The fiscal year 2002/2003 budget includes a reforestation plan under which 200 diseased Modesto ash trees will be removed. The contract for tree removal was approved at the City Council meeting of December 18, 2001.)  
 J. Deakin, Public Works Director
13. Adopt Resolution No. 02-xx authorizing signatory authority for grants from the California Integrated Waste Management Board (CIWMB). (The City currently receives funding from the CIWMB for various Household Hazardous Waste and Used Oil Block Grants. The current signatory authority, the Director of Administrative Services, was designated during a period of absence of a Public Works Director. The Public Works Director manages all grants from the CIWMB.)  
 J. Deakin, Public Works Director
14. Adopt Resolution No. 02-xx authorizing applying for grant funding from Caltrans' Aid to Airports Program for Airport Taxiway 'D' Rehabilitation; and adopt Resolution No. 02-xx authorizing applying for grant funding from Caltrans' Aid to Airports Program for Airport Parking Area Rehabilitation/Slurry Seal. (The State Department of Transportation provides funding to the City for up to 90% of the total cost of eligible maintenance projects. The City has been successful in qualifying for two such grants for airport maintenance projects. A formal grant application must now be submitted.)  
 J. Deakin, Public Works Director

15. Adopt Resolution No. 02-xx authorizing usage of a septic system for a proposed development at 3461 Dry Creek Road, contingent upon the applicant agreeing to participate in the formation of a future assessment district to extend the sewer line to their property, and with the design of the septic system subject to the approval of the Regional Water Quality Control Board. (This planned development by applicant, Mike Nunno, is located south of and adjacent to the Paso Robles Municipal Airport. The nearest sewer is approximately one mile away. As development occurs along Dry Creek Road, the sanitary sewer line will be constructed. It is recommended that the applicant/property owner be required to enter into an agreement, binding on his successors, to participate in the formation of a future assessment district to construct the sewer when that occurs.)  
R. Lata, Community Development Director
16. Adopt Resolution No. 02-xx establishing a practice of allowing for sharing of unused capacity for CDBG-funded public service activities among other participating jurisdictions in the "urban county" of San Luis Obispo. (Practice shall be subject to the condition that a determination that unused capacity exists shall not be made until the City Council has made its annual allocation of CDBG funds following a public hearing.)  
R. Lata, Community Development Director
17. Adopt Resolution No. 02-xx accepting the public improvements of Tract 1771-3 into the City's maintenance system, and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$127,900. (This subdivision is located north of Charolais Road, approximately ¼ mile east of South River Road – Ennis Langdon Homes. Public improvements have all been completed, with exception of parkway irrigation system. Subdivider is aware that this system must be installed to the satisfaction of City staff prior to the Council meeting, and that maintenance issues must be addressed.)  
R. Lata, Community Development Director
18. Based upon completion of construction of all required public improvements to the satisfaction of the City, adopt Resolution No. 02-xx to accept the public improvements of Tract 1632-8 (Phase 3C & D) into the City's maintenance system, and authorize release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$127,900.00. (This subdivision is located north of Meadowlark Road and west of Airport Road. The developer is J. M. Wilson. At the time staff report was prepared, the Subdivider was advised that if the maintenance, plans and documentation issues were not addressed prior to the Council meeting, this item be continued to a future meeting.)  
R. Lata, Community Development Director
19. Adopt Resolution No. 02-xx in support of Proposition 42. (The League of California Cities supports Proposition 42 – Permanent Dedication of the Sales Tax on Fuel for Transportation Purposes – and requests all cities in California to join in support. On December 5, 2001, the San Luis Obispo Council of Governments adopted a resolution of support for Proposition 42 and requested all jurisdictions with San Luis Obispo County to voice support.)  
J. Deakin, Public Works Director

## **ROLL CALL**

## PUBLIC DISCUSSION

### 20. **Council Goals Progress Report**

J. App, City Manager

Receive and file a Council goals progress report.

#### OPTIONS:

- a. Receive and file Council goals progress report.
- b. Amend, modify or reject the foregoing option.

#### ROLL CALL VOTE

### 21. **Measure D Projects and Financing**

J. App, City Manager

Consider a Measure D-98 progress report.

#### OPTIONS:

- a. Receive and file Measure D Project Progress Report and adopt Resolution No. 02-xx modifying Measure D Bond Issuance Cost Allocation Accounting, and appropriating a \$30,000 SLOCOG grant for 4<sup>th</sup> Street underpass and \$30,000 from Measure D reserves for Barney Schwartz Park concession stand retrofit.
- b. Amend, modify or reject the above option.

#### ROLL CALL VOTE

### 22. **Mid-Year Budget Report – Fiscal Year 2002**

M. Compton, Administrative Services Director

Presentation of the Mid-year Budget Report for fiscal year ending June 30, 2002.

#### OPTIONS:

- a. Receive and file the annual mid-year budget report for fiscal year ending June 30, 2002.
- b. Amend, modify or reject the above option.

#### ROLL CALL VOTE

### 23. **Proposals to Prepare Chandler Ranch Area Specific Plan and Environmental Impact Report**

R. Lata, Community Development Director

Consider authorizing execution of Contract Services Agreement with Cannon Associates, the firm recommended by the Council's ad hoc committee to prepare the Chandler Ranch Area Specific Plan and Environmental Impact Report (EIR). (In follow-up to process initiated by Council at September 4, 2001, Council meeting, a Request for Proposals [RFP] was

distributed regarding preparation of a Chandler Ranch Area Specific Plan and EIR. Four proposals were received and reviewed by an ad hoc committee reflecting representation from the City Council, Planning Commission and City staff. The ad hoc committee recommended negotiation of a refined scope of work with Cannon Associates.)

**OPTIONS:**

- a. Proceed with selection of Cannon Associates to prepare the Chandler Ranch Area Specific Plan and EIR based on a program budget of \$423,000; pass Resolution No. 02-xx for the budgeted amount of \$423,000; and authorize the City Manager to execute a Contract Services Agreement with Cannon Associates based on substantial conformance with the attached Scope of Work and their proposal of not-to-exceed \$384,200.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**24. Traffic Control on Mesa Road**

J. Deakin, Public Works Director

Accept recommendation from the Streets and Utilities Committee to install stop signs on Mesa Road. (City received a petition from several residents in the Bella Vista Estates to address traffic safety on Mesa Road.)

**OPTIONS:**

- a. Adopt Resolution No. 02-xx to adopt the recommendation from the Streets and Utilities Committee to install stop signs at two intersections: Prospect at Mesa, and Mesa at Arciero Court.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**25. Traffic Calming on Bolen Drive**

J. Deakin, Public Works Director

Consider installing temporary stop signs on Bolen Drive. (City received a petition signed by several residents along Bolen Drive requesting that speed humps be installed to reduce traffic speed. The request did not satisfy all four criteria of the Speed Hump Policy. The Streets and Utilities Committee looked for alternative means to satisfy the residents' basic concerns for traffic calming and pedestrian safety and recommended installing temporary stop signs at two intersections.)

**OPTIONS:**

- a. (1) Adopt Resolution No. 02-xx to adopt the recommendation from the Streets and Utilities Committee to install temporary stop signs at two intersections: Bolen at Moss, and Bolen at Rose.
- (2) Direct the Streets and Utilities Committee to evaluate the effects of the two stop signs, and report back to Council on the long-term need for the sign placements.

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

**ROLL CALL VOTE**

**26. Architectural Services Agreement for the Design of an Airport Terminal Restaurant Addition**

D. Monn, City Building Official

Consider approving an Architectural Services Agreement with Garcia Architecture for design of a restaurant addition at the Paso Robles Airport Terminal.

**OPTIONS:**

- a. Negotiate an Architectural Services Agreement with Garcia Architecture for design of an Airport Terminal Restaurant addition.
- b. Direct staff to seek additional proposals, delaying the project.
- c. Amend, modify or reject the above options.

**ROLL CALL VOTE**

**27. Transit Operations Contract**

M. Compton, Administrative Services Director

Consider options relative to the expiring transit operations contract. (The current transit operations contract with Laidlaw Transit Services expires June 30, 2002. Council has two options to consider—to distribute RFPs or negotiate a new contract with the current provider.)

**OPTIONS:**

- a. Direct staff to distribute Request for Proposals and authorize the Director of Administrative Services to engage the services of Moore & Associates to assist; or
- b. Direct staff to negotiate a new contract with Laidlaw Transit Services and authorize the Director of Administrative Services to engage the services of Moore & Associates to assist in negotiations should the need arise.
- c. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**CITY MANAGER** - None

**CORRESPONDENCE** – None

**ADVISORY BODY COMMUNICATION** - None

**AD HOC COUNCIL BUSINESS**

**28. Appointment of Ad Hoc Committee –Airport Real Estate Leases**

J. Deakin, Public Works Director

Appoint an ad hoc committee to review and develop Airport real estate lease requests. (Current proposals for lease consideration include proposals from Chuck Wentworth, Mr. Culver, Lahargou Farming, Stuart Toomey, Harry Blythe and off-site improvements along Wing Way. The ad hoc committee would review these proposed lease requests, consider other real estate leases as they may develop, and give direction to staff to help develop these issues for full Council action.)

**OPTIONS:**

- a. Appoint a two-member ad hoc committee to evaluate Airport lease amendments and new lease proposals, and report back to the full City Council periodically through August 31, 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, 2<sup>nd</sup> 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 13<sup>TH</sup> 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 13<sup>TH</sup> 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 (Bruce White)

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

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

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

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 1142 13<sup>th</sup> Street, Paso Robles (APN 009-051-013)\*

Owner/Negotiator: William Jacobson

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

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

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

Subdivision (b) of Government Code Section 54956.9

Significant exposure to litigation (facts and circumstances not known to adverse party)

Number of cases: One

**ADJOURNMENT:** to THE REGULAR MEETING ON TUESDAY, FEBRUARY 19, 2002, 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 FEBRUARY 8, 2002***