

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, May 21, 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 other item on the agenda that is to be deferred or tabled.

**PRESENTATIONS** - None

**NOTICED HEARINGS** - None

## **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 1-10 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

1. Approve City Council minutes of April 30 and May 7, 2002.  
D. Fansler, City Clerk
2. Receive and file Advisory Body Committee minutes as follows:  
Library Board of Trustees meeting of April 11, 2002  
Parks & Recreation Advisory Committee meeting of April 9, 2002  
Pioneer Museum Board meeting of April 11, 2002  
Senior Citizen Advisory Committee meeting of April 8, 2002  
Youth Commission meeting of April 10, 2002
3. Approve Warrant Register.  
M. Compton, Administrative Services Director
4. Proclamation – National Public Works Week, May 19 - 25, 2002  
F. Mecham, Mayor
5. Adopt Ordinance No. XXX N.S. amending Chapter 21.00 and related provisions of the Municipal Code (Code Amendment 2002-003 – Non-conformity). (The amendment would have the effect of protecting private property from becoming non-conforming or more non-conforming when the City acquires part of the property for public purposes. Purpose of proposed code amendment would be to avoid adverse impacts on the status of private property as a result of public acquisitions. It is a “hold harmless” type of provision. First reading held May 7, 2002.)  
R. Lata, Community Development Director
6. Adopt Resolution No. 02-xx approving the transfer of State Technology Grant funds from the Citizens Options for Public Safety Fund No. 117 to the General Fund No. 100, and approve a one-time budget appropriation in the amount of \$14,000 to Budget Account No. 100-210-5454-135 and \$19,900 to Budget Account No. 100-210-5212-135. (Funds represent monies received from a State of California law enforcement grant in 2000/2001 specifically for technology improvements. Funds will be used to replace Police Department computer hardware and software.)  
D. Cassidy, Chief of Police

7. Adopt Resolution No. 02-xx awarding the contract for replacement of roof and air conditioning of the Airport administration/office building to the low bidder, Vanguard Construction, Inc., Arroyo Grande. (The Airport administration/office building was constructed in 1978 to house the Federal Aviation Agency airways facilities maintenance staff and the Airport Manager. The roof and air conditioning equipment have exceeded their intended useful life and require replacement.)  
J. Deakin, Public Works Director
8. Adopt Resolution No. 02-xx awarding a contract to install improvements and upgrade Lift Station No. 2 to R. Baker, Inc., of Arroyo Grande. (The 1993 Sewer Master Plan recommends repairing and rehabilitating Lift Station No. 2, located in the southern portion of the City, near Ramada Drive's northern terminus. As part of the 4-year Capital Improvement Plan, the Council budgeted monies to replace Interceptor Reaches 2 and 4 and to rehabilitate Lift Station No. 2. Seven bids were received for this project; the low bid was submitted by R. Baker, Inc.)  
J. Deakin, Public Works Director
9. Dissolve special event ad hoc committee formed on September 4, 2001, for the purpose of reviewing options for funding City staffing of/for community special events. (The Committee's report was presented to Council on May 7, 2002, and the Committee has completed its assignment.)  
G. Perruzzi, Recreation Services Manager
10. Extend duration of ad hoc committee formed on July 18, 2001, for the purpose of reviewing proposals and conducting interviews regarding an Airport Terminal restaurant. (Additional time is needed to review restaurant operation proposals and negotiate contract terms.)  
J. Deakin, Public Works Director

## PUBLIC DISCUSSION

### 11. **General Plan Program Schedule**

R. Lata, Community Development Director

Consider and confirm a proposed approach and schedule for the next six months of the General Plan Update Program. (The General Plan Update Program is scheduled to extend to Fall 2003. Because of noticing requirements and coordination of schedules between Council, Commission, consultants, City staff and the public, firm dates need to be determined for holding workshops and meetings during this time.)

#### OPTIONS:

- a. Note and file the General Plan Program schedule as supplied by staff.
- b. Amend, modify or reject the foregoing option.

#### VOICE VOTE

**12. Letter from Ken Munde Regarding Wine Country RV Resort**

R. Lata, Community Development Director

Consider a request from Ken Munde for relief in water fees associated with a 210-unit Recreation Vehicle (RV) Park. (Subject property is located northeast of the intersection of Airport Road and Highway 46 East. Applicant is requesting relief from project impact fees.)

**OPTIONS:**

- a. Uphold the current fee agreement, and receive and file Mr. Munde's letter of April 22, 2002.
- b. Modify the fee agreement to allow payment of fees as of the date Mr. Munde received his Grading Permit from the State, with the provision that he acknowledges full financial and legal responsibility for any subsequent finding by Department of Industrial Relations (or related agency), that the entire development project is subject to the payment of prevailing wages; *and* that, in conjunction with such action, the City Council establishes explicit policy parameters for any future/subsequent requests by developers who may come forward to request similar relief.
- c. Amend, modify or reject the above options.

**ROLL CALL VOTE**

**13. Proposals for Preparation of a Traffic Circulation and Oak Tree Preservation Plan – Blackburn Area**

R. Lata, Community Development Director

Consider selecting and funding a proposal to prepare a traffic circulation and oak tree preservation plan for the Blackburn area. (The Blackburn study area is a residential neighborhood in the hillside area bounded on the south by Pacific Avenue and on the north by Hilltop Drive. The area is partially developed and is characterized by an incomplete system of streets. Council directed staff in January 2002 to distribute Requests for Proposals to undertake an analysis of traffic circulation and oak tree related issues in the immediate area before considering any waivers of public improvements and/or street abandonments in the immediate area. Two proposals were received and a third option has been submitted by the City's contract engineer. How best to complete the system of streets, including an extension of Blackburn Street, is the focus of the study.)

**OPTIONS:**

- a. Reject the two proposals received from Associated Transportation Engineers (ATE) and Omni-Means and instead approve Resolution No. 02-xx appropriating \$10,000 for preparation of a Blackburn Area Traffic Circulation and Oak Tree Avoidance Plan to be prepared by the City's contract engineer.
- b. Amend, modify or reject the above option.

**ROLL CALL**

**14. Recreation Facilities**

B. Partridge, Library and Recreation Services Director

Consider long and short-term needs for City's recreation facilities. (The 1988 Recreation Element of the General Plan provides guidelines for development and maintenance of recreation facilities.)

**OPTIONS:**

- a. Discuss projects and future planning of recreation facilities, provide direction on competing priorities, and schedule a workshop to examine and develop long-term goals.
- b. Amend, modify or reject the above option.

**ROLL CALL**

**15. Concession Operation at Barney Schwartz Park**

B. Partridge, Library and Recreation Services Director

Consider options for the 2002 summer season concession operations at Barney Schwartz Park. (A Request for Proposals for concession operations at Barney Schwartz Park resulted in a single submission, that of the City's Oak Park Junior/Senior Leadership Program. Because this is a City-operated program, staff and legal counsel must study its business, program, and financial and legal ramifications. Such a study cannot be completed before the Park's opening date. Alternative plans for summer 2002 concession operations need to be considered.)

**OPTIONS:**

- a. Authorize the use of City recreation staff to operate concessions for the 2002 summer season.
- b. Invite leagues to operate stands during their scheduled league play.
- c. Defer concession opening.
- d. Amend, modify or reject the above options.

**ROLL CALL**

**16. Joining the Integrated Waste Management Authority (IWMA)**

J. Deakin, Public Works Director

Consider joining the Integrated Waste Management Authority (IWMA) of San Luis Obispo County. (In April 2002, the City Council approved joining the IWMA and directed staff to negotiate agreement terms. The City Attorney and an IWMA attorney jointly developed a resolution to facilitate the City's membership.)

**OPTIONS:**

- a. (1) Adopt Resolution No. 02-xx authorizing the Mayor to execute the Integrated Waste Management Authority Memorandum of Agreement (MOA) and Joint Powers Agreement (JPA) of May 1994.
- (2) Appoint a City Council representative to the IWMA Board of Directors; and
- (3) Dissolve the Solid Waste Issues ad hoc committee.
- b. Amend, modify or reject the above option(s).

**ROLL CALL**

**17. Utilities Engineer Staff Position**

J. Deakin, Public Works Director

Consider adding a Utilities Engineer to manage water, wastewater and solid waste utilities. (The City needs to elevate its attention to utility services to address regulatory changes and manage City resources, personnel and contractors.)

**OPTIONS:**

- a. (1) Authorize adding a position to the staffing allocation, providing a Utilities Engineer in the Public Works Department; and
- (2) Adopt Resolution No. 02-xx appropriating \$120,000 in fiscal year 2002/2003 to provide funds for salary, benefits, and equipment for the position.
- b. Amend, modify or reject the above option.

**ROLL CALL**

**18. Revision to the Street Tree Master List (MISC 02-001)**

R. Lata, Community Development Director

Consider proposed revisions to the City's Master Street Tree List for approval. (Section 10.04.030 of the Municipal Code requires the City to develop and maintain a Street Tree Master List and the Planning Commission is required to adopt the Street Tree Master Plan by resolution. The current list was adopted by Council in 1996 and contains some species that have proven unsuitable for use as street trees due to their growth habits or characteristics; other species were omitted from the list that have proven to be excellent performers in this climate zone. Recommendations for modifications to the current list were and submitted to the Planning Commission on May 14, 2002.)

**OPTIONS:**

- a. Adopt Resolution No. 02-xx approving the revised Street Tree Master List.
- b. Amend, modify or reject the foregoing option.

**ROLL CALL VOTE**

**19. Continued Funding for Building Division Front Counter Contract Staff**

R. Lata, Community Development Director

Consider a request to extend the contract for front counter customer service staff funding for the Building Division. (The potential need for extending the front counter contract position was anticipated by Council's Fiscal Committee during deliberations over the 2001-2003 budget. The level of activity, as reflected in building permits for both residential and commercial projects, warrants continued staffing.)

**OPTIONS:**

- a. Adopt Resolution No. 02-xx appropriating \$35,000 for an extension of the Building Division's front counter contract position.
- b. Amend, modify or reject the above option.

**ROLL CALL**

**20. Participation in Funding Geographic Information System (GIS) Purchase**

R. Lata, Community Development Director

Consider whether to participate with the San Luis Obispo Council of Governments (SLOCOG) and other agencies in purchasing a Geographic Information System (GIS). (Geographic Information Systems consist of computer software and data and provide an opportunity to store, retrieve, analyze and present any information that has a spatial/geographic component, i.e., mapping, distribution of population, General Plan land uses, zoning, and hazardous materials. The County of San Luis Obispo entered into an agreement with Barklay Map Company to provide parcel map information, which is a critical component of GIS and has offered to assist the cities of SLO County to have the same parcel level mapping. Draft agreements with Barklay have been negotiated by the County. Joining with other cities in the County affords the most cost-effective way of establishing GIS capabilities for the City.)

**OPTIONS:**

- a. Adopt Resolution No. 02-xx appropriating \$10,000 for the City to begin a Geographic Information System program in conjunction with SLOCOG and authorize the City Manager to enter into an agreement with SLOCOG and/or Barklay Map Company to provide the described work.
- b. Amend, modify or reject the above option.

**ROLL CALL**

**21. Professional Services Agreement for Incorrect Reduction Claims**

M. Compton, Administrative Services Director

Consider approving a professional services agreement with Maximus, Inc. (The State legislature established the Incorrect Reduction Claim [IRC] as the method to challenge the State Controller's Office's reduction of any amount claimed by a local governmental agency. These claims must be filed with the Commission on State Mandates within three years and the statute of limitations will expire this fall. IRC claims are very complicated and require substantial amounts of time by staff. In addition to being the original preparer of the City's claims, Maximus, Inc., has the expertise and ability to represent the City throughout the claim process.)

**OPTIONS:**

- a. Adopt Resolution No. 02-xx authorizing the Director of Administrative Services to execute a professional services agreement with Maximus, Inc., and authorizing a one-time budget appropriation of \$5,000 for fiscal year 2002-2003 for said agreement.
- b. Amend, modify or reject the above option.

**ROLL CALL**

**22. GASB 34 Infrastructure Inventory and Valuation Project Contract Award**

M. Compton, Administrative Services Director

Consider approval of a professional services agreement for a Governmental Accounting Standards Board Statement Number 34 (GASB 34) Infrastructure Inventory and Valuation Project. (Council allocated monies in the current budget for GASB 34 compliance assistance; the remaining funds were earmarked for infrastructure inventory and valuation services. A Request for Proposals to perform infrastructure inventory and valuation services was distributed to 13 firms; 4 responses were received.)

**OPTIONS:**

- a. Adopt Resolution No. 02-xx awarding project to perform infrastructure inventory and valuation services to Conrad Business Services of Irvine, California.
- b. Amend, modify or reject the above option.

**ROLL CALL**

**CITY MANAGER** - None

**CORRESPONDENCE** – None

## ADVISORY BODY COMMUNICATION

### 23. **Project Area Committee Vacancies**

D. Fansler, City Clerk

Consider options for filling vacancies on the Project Area Committee (PAC).

#### OPTIONS:

- a. Make six appointments to the Project Area Committee from the six applicants who have submitted applications, filling terms as follows:
  1. 1 regular appointment to fill term expiring 12/31/02
  2. 1 regular appointment to fill term expiring 12/31/03
  3. 4 regular appointments to fill terms expiring 12/31/04
- b. Select date for conducting interviews and making appointments for vacancies on the Project Area Committee.
- c. Re-advertise for 30 days to solicit additional applicants to the Project Area Committee.
- d. Amend, modify or reject the above options.

#### ROLL CALL

## AD HOC COUNCIL BUSINESS

### 24. **Request to Install American Flags on Veterans Memorial Bridge**

J. Deakin, Public Works Director

Consider a request by the Kiwanis Club to install American flags at the Veterans Memorial Bridge. (Kiwanis Club wishes to install brackets on the ornamental light fixtures along the Bridge to display American flags on Memorial Day, Flag Day, Independence Day, Labor Day, September 11<sup>th</sup> and Veterans Day.)

#### OPTIONS:

- a. Approve installing brackets and flags on the ornamental light fixtures on the Veterans Memorial Bridge, and facilitate flag postings on Memorial Day, Flag Day, Independence Day, Labor Day, September 11<sup>th</sup> and Veterans Day.
- b. Approve installing brackets and flags on the ornamental light fixtures on the Veterans Memorial Bridge, and facilitate flag postings on Memorial Day, Independence Day, and Veteran's Day.
- c. Amend, modify or reject the above options.

#### ROLL CALL

**25. Vehicle Purchasing Ad Hoc Committee Report**

J. Deakin, Public Works Director

Review the process for City-purchased vehicles and equipment, and receive a report from the ad hoc committee formed on March 19, 2002, to review the City's purchasing procedures.

**OPTIONS:**

- a. Receive and file the report from the ad hoc committee regarding vehicle and equipment purchases, and dissolve the committee.
- b. Amend, modify or reject the above options.

**ROLL CALL**

**COUNCIL COMMENTS**

**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 - Initiation of Litigation**

Subdivision (c) of Government Code Section 54956.9

Initiation of Litigation

Number of Cases: Two

**b. Conference with Labor Negotiator**

Government Code Section 54957

City Negotiator: James App, City Manager

Employee Organization: Service Employees International Union (SEIU)

Police Officers Association (P.O.A.)

Unrepresented Fire

Unrepresented Management

**c. Public Employee Performance Evaluation**

Government Code Section 54957

Title: City Manager

**ADJOURNMENT:** to REGULAR CITY COUNCIL MEETING ON TUESDAY, JUNE 4, 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 MAY 24, 2002***