

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, June 18, 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

### 1. **Code Amendment 02-005 (City-Initiated)**

R. Lata, Community Development Director

Consider a code amendment to clarify and define the accessory uses allowed for social halls, clubs, and lodges. (Proposed amendment would allow for food service and/or the sale of alcohol to members and guests only, with a valid Type 51 or Type 52 Club Liquor License from the ABC, Alcoholic Beverage Control. Modifying the definition of social halls, clubs, etc. to include these common accessory uses would avoid a conflict with ABC regulations.)

#### OPTIONS:

- a. Introduce for first reading Ordinance No. XXX N.S. amending Section 21.16.200.C.10 of the Zoning Code to define allowable accessory uses for social halls, clubs, lodges and fraternal organization to include food and/or bar services for members, and set July 2, 2002, for second reading of the Ordinance.
- b. Amend, modify, or reject the above option.

### 2. **General Plan Amendment 1-02, Borkey Area Specific Plan Amendment 02-001 and Rezones No. 01-006, 02-002, 02-003 and 02-006**

R. Lata, Community Development Director

Consider opening and continuing the subject public hearing. The General Plan Amendment relates to four different locations and is accompanied by a specific plan amendment and three zone change applications. (As the Planning Commission's recommendation regarding the General Plan Amendment, Borkey Area Specific Plan Amendment and related Re-zone applications is scheduled for consideration on June 18<sup>th</sup> and because there will only be three Councilmembers present at the June 18<sup>th</sup> Council meeting, staff suggests that this hearing be opened and continued to the next regularly scheduled meeting of July 2, 2002.)

#### OPTIONS:

- a. Open the noticed public hearing, accept public testimony from persons who cannot attend the next Council meeting, and continue the opened public hearing to July 2, 200.
- b. Amend, modify, or reject the above option.

## ROLL CALL VOTE

## 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 3-14 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

3. Approve City Council minutes of May 21, May 29 and June 4, 2002.  
D. Fansler, City Clerk
4. Receive and file Advisory Body Committee minutes as follows:  
Housing Authority Board meeting of May 14, 2002  
Transit Advisory Committee meeting of March 6, 2002
5. Approve Warrant Register.  
M. Compton, Administrative Services Director
6. Adopt Ordinance No. XXX N.S. amending Section 10.01 et seq. and related provisions of the Municipal Code (Municipal Code Amendment 2001-001 – Oak Trees). (The proposed ordinance amends the Code as follows: [1] 6-inch trunk diameter continue to be the threshold for Council review of oak tree removal requests; [2] a list of approved arborists be authorized to provide services to the City; [3] replace term “drip line” with Critical Root Zone; [4] the level of oak tree protection measure enforcement be increased; [5] the Public Works Department be responsible for approving tree trimming requests; [6] the Community Development Department be responsible for processing tree removal requests.) First reading held June 4, 2002.)  
R. Lata, Community Development Director
7. Adopt Resolution No. 02-xx approving an addendum to the Airport Farming Lease with Pierre Lahargou, extending the lease term. (The current lease was entered into in January 1986 to conduct dry-land farming operations on certain undeveloped airport areas. Farming in these areas provides revenue to the City, while the lessee pays all expenses. The Airport Lease ad hoc committee reviewed Mr. Lahargou’s lease at its meeting on March 1<sup>st</sup>, indicating support for the lease renewal.)  
J. Deakin, Public Works Director
8. Adopt Resolution No. 02-xx authorizing the director of Administrative Services to execute a Professional Services Agreement with Maximus, Inc. and authorize a one-time budget appropriating of \$5,000 for fiscal year 2002-2003 for said agreement. (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.)  
M. Compton, Administrative Services Director

9. Adopt Resolution No. 02-xx declaring certain City property as surplus and authorize their sale by consignment. (This resolution declares certain City property as surplus and authorizes its sale by consignment. The adopted budget included the acquisition of three transit buses. The new buses have arrived and have been placed into active service, resulting in two surplus buses. Sale of surplus transit buses by consignment sale has proven to generate higher sale income to the City than the traditional sale by public auction.)  
M. Compton, Administrative Services Director
10. Extend duration of the ad hoc committee formed in January 2002 to review design alternatives and options to re-stripe Niblick Road to four lanes from River Road to Creston Road. (In order to allow adequate time for City and School District staff to develop design alternatives and options, it is recommended that the Committee's duration be extended.)  
J. Deakin, Public Works Director
11. Extend duration of the ad hoc committee formed in December 2001 to review energy conservation proposals, specifically for a solar generation project on the City landfill property. (Proposals are still being developed and reviewed as the Committee requested additional information. It is anticipated that the Committee's will be continuing on the current proposal for approximately 90 days. It is recommended that the duration be extended to September 17, 2002.)  
J. Deakin, Public Works Director
12. Adopt Resolution No. 02-xx appropriating \$237,000 to Budget Account No. 216-910-5452-426 to upgrade the playground structure at Sherwood Park. (In July 2001, Council authorized staff to file for the Per Capita Grant Program under the Safe Neighborhood Parks, Clean Water and Coastal Protection Bond Act of 2000. City succeeded in receiving this grant for \$207,000. In May, REC, Inc. presented a check to the City for \$15,000 and the Council agreed to provide a matching amount from the Park Development Fund.)  
B. Partridge, Library & Recreation Services Director
13. Adopt Resolution No. 02-xx authorizing acceptance of \$500,000 from Roberti-Z'Berg-Harris Urban Open Space and Recreation Grant Program under the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 for the enhancement of Centennial Park, and establish budget appropriation. (In October 2001, Council authorized staff to file for the Roberti Z-Berg Harris competitive program. City succeeded in receiving this grant in the amount of \$500,000, for a total project cost of \$714,000. The match requirement is \$214,000; the contract for acceptance must be signed and returned to the State by June 23, 2002.)  
B. Partridge, Library & Recreation Services Director
14. Adopt Resolution No. 02-xx approving group insurance plan renewal for health insurance. (The City's group employee health insurance provider is Lifeguard Health Care; they have underwritten the policy for the last 7 years. The current contract expires June 30, 2002. The City Health Committee has recommended a modified Lifeguard plan contract, with an approximate 13% cost increase. All represented worker associations [POA, SEIU and Fire] have endorsed the Health Committee's recommendation.)  
M. Williamson, Assistant to the City Manager

## **ROLL CALL VOTE**

## PUBLIC DISCUSSION

### 15. **Main Street Association Service Agreement**

J. App, City Manager

Consider authorizing a July 2002 release of the first quarter payment for services to be rendered under a forthcoming fiscal year 2002/2003 agreement between the City and Main Street Association. (The City has contracted for downtown business promotion services from the Main Street Association for over ten years and the current multi-year agreement expires on June 30, 2002. A new agreement, structured like earlier contracts, is currently under consideration and is anticipated for Council consideration in July or August.)

#### OPTIONS:

- a. Authorize payment of fiscal year 2002/2002 first quarter payment of \$18,750 in July 2002.
- b. Amend, modify or reject the above option.

#### ROLL CALL VOTE

### 16. **Engineering Inspection: Temporary Contract Services**

R. Lata, Community Development Director

Consider funding for temporary engineering and public works inspections during absence of City's Senior Engineering Inspector. (The City Engineering/Public Works Inspector absence may extend as late as June 2003. The City advertised for a contract position to provide inspection coverage during this interim period. Two companies agreed to provide the City with candidates; however, only Penfield & Smith successfully provided a candidate who completed the interview process.)

#### OPTIONS:

- a. Adopt Resolution No. 02-xx appropriating \$150,000 to retain engineering inspections service from Penfield & Smith through June 2003.
- b. Amend, modify or reject the foregoing option.

#### ROLL CALL VOTE

### 17. **Design Contract for 21<sup>st</sup> Street Reservoir Rehabilitation**

J. Deakin, Public Works Director

Consider awarding a design contract to Boyle Engineering to design a roof replacement for the 21<sup>st</sup> Street Reservoir. (This reservoir is a fundamental element in the City's water distribution system. To maintain its reliability, structural improvements need to be designed. Boyle Engineering prepared the City's Water Master Plan and has technical expertise in water reservoir siting, construction and rehabilitation.)

#### OPTIONS:

- a. Adopt Resolution No. 02-xx authorizing award of design services to replace the roof of the 21<sup>st</sup> Street Reservoir to Boyle Engineering for a not-to-exceed fee of \$75,000 and direct the City Manager to enter a Professional Services Agreement.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**CITY MANAGER**

**18. Schedule Date for Applicant Interviews & Appointments – Housing Authority**

J. App, City Manager

Select an August 2002 date for conducting interviews and making appointments for vacancies on the Housing Authority advisory committee.

2 vacancies / 6 applicants:

1 appointment to complete Frank Schuh's term expiring 2/28/03  
1 regular appointment for term expiring 2/28/06

Applicants (6):

Don Durfee	Lawrence Foelker
Joe Dutra (incumbent)	Steven Meixner
Leo Fisher	David Rouff

**VOICE VOTE**

**19. Schedule Date for Applicant Interviews & Appointments – Parks & Recreation Advisory Committee**

J. App, City Manager

Schedule date for conducting interviews and making appointments for vacancies on the Parks and Recreation Advisory Committee.

4 vacancies/8 applicants:

4 vacancies for terms ending 6/30/04

Applicants (8):

Donna Berg (incumbent)	Scott Graefen (incumbent)
Darwin Curry (incumbent)	Stephen Gregory
Don Durfee	Paul Manni
Robin Fairbairn (incumbent)	Randy Stinchfield

**VOICE VOTE**

**20. Schedule Date for Applicant Interviews & Appointments – Senior Citizen Advisory Committee**

J. App, City Manager

Schedule date for conducting interviews and making appointments for vacancies on the Senior Citizen Advisory Committee.

5 vacancies/7 applicants:

5 vacancies for terms ending 6/30/04

Applicants (7):

Olive Renee Clark

Judy Rupp

Dale Gustin (incumbent)

Dell Velten (incumbent)

Virginia Harris (incumbent)

Velta Williamson (incumbent)

Nettie O'Brien

**VOICE VOTE**

**21. Schedule Date for Applicant Interviews & Appointments – Library Board of Trustees**

J. App, City Manager

Consider re-appointing incumbent applicant, Betsy Watson, to fill one committee vacancy on the Library Board of Trustees.

1 vacancy for term ending 6/30/05

Applicant (1): Betsy Watson

**OPTIONS:**

- a. Re-appoint incumbent applicant to fill 3-year term.
- b. Advise staff to continue advertising to obtain more applications.
- c. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**CORRESPONDENCE** – None

**ADVISORY BODY COMMUNICATION** - None

**AD HOC COUNCIL BUSINESS** - None

**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 – 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 PASO ROBLES ECONOMIC FORECAST MEETING AT 8:00 AM ON WEDNESDAY, JUNE 26, 2002, IN THE GRAND BALLROOM OF THE PASO ROBLES INN, 1103 SPRING STREET, PASO ROBLES; TO THE MIDSUMMER MAGIC 2002 EVENT AT 7:00 PM ON SATURDAY, JUNE 29, 2002, AT THE PUBLIC LIBRARY, 1000 SPRING STREET; AND TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, JULY 2, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR  
COUNCIL MEETING IS JUNE 21, 2002***