

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, August 6, 2002 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 other item on the agenda that is to be deferred or tabled.

PRESENTATIONS – None

NOTICED HEARINGS

1. **Code Amendment 02-008 – Front Yard Setbacks (City-Initiated)**

R. Lata, Community Development Director

Consider an amendment to Sections 21.16E.220 and 21.16I.160 of the Zoning Code regarding reducing the front yard setbacks in order to lessen the impacts to grading and oak trees. (This is a proposal to allow the Planning Commission to reduce a front yard setback to as low as five feet, if the reduction would provide for the protection of oak trees and/or the reduction of grading. Approval would be contingent on not disrupting the character of the neighborhood and maintaining a 20-foot setback for a garage door, if it faces the street.)

OPTIONS:

- a. Introduce Ordinance No. xxx N.S. amending Chapters 21.16E and 21.16I reducing front yard setbacks in order to lessen the impacts to grading and oak trees; and set August 20, 2002, as the date for adoption of said Ordinance.
- b. Amend, modify or reject the foregoing 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 2-22 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

2. Receive and file Advisory Body Committee minutes as follows:

Citizens Airport Advisory Committee meeting of June 27, 2002

Housing Authority meeting of July 16, 2002

Parks & Recreation Advisory Committee meeting of June 11 and 18, 2002

Senior Citizen Advisory Committee meeting of June 10, 2002

3. Approve Warrant Register – Warrant Nos. 34217 (7/12/02) – 34672 (7/26/02)

M. Compton, Administrative Services Director

4. Certificate of Recognition – 60th Wedding Anniversary of Bernard and Virginia Henderson

F. Mecham, Mayor

5. Adopt Ordinance No. XXX N.S, amending Chapter 21.31 of Article IIA of the Municipal Code of the City of El Paso de Robles, California, relating to adult businesses (Code Amendment 02-004). FIRST READING JULY 16, 2002.

R. Lata, Community Development Director

6. Adopt Resolution No. 02-xx annexing Tract 2254-2 as part of Subarea 70B to the "Paso Robles Landscape & Lighting District No. 1." (Tract 2254-2 is phase two of a proposed 87-lot subdivision of a 25.3-acre site, located on the northwesterly corner of the intersection of Creston Road and Beechwood Drive. The first two phases involve the development of 31 lots on 8.25 acres. Applicants guarantee the construction of required public improvements within a one-year period and Payment and Performance Bonds have been submitted and are on file in the office of the City Engineer.) DUE TO CLERICAL OVERSIGHT, THIS RESOLUTION WAS NOT INCLUDED IN THE JULY 2, 2002, AGENDA.
R. Lata, Community Development Director

7. Adopt Resolution No. 02-xx approving an amendment to Newton Construction and Management's present contract with the City for construction management services for the construction of disabled access improvements to the Carnegie Library Building. (Construction plans for this work have been prepared and accepted by the City, and the project is near going to bid. The expertise of an experienced construction manager is needed to properly supervise the construction process and respond to any necessary technical changes to the plans that may arise. Newton Construction is presently under contract with the City to provide construction management for Measure D projects, and the Carnegie Library rehabilitation could be added to NCM's assignments with an amendment to their present contract.)
R. Lata, Community Development Director

8. Adopt Resolution No. 02-xx approving the abandonment of nine feet of the existing 15-foot street tree planting easement – APN 009-610-013 (Norton). (Project site is located at 405 Apache Court, at the corner of Rose Lane and Apache Court, in Tract 1118. The 15-foot recorded easement exceeds the City's current requirement. Only a 6-foot wide easement for utilities and planting would be necessary under current code standards. Approval of the abandonment request would allow applicant to expand the existing residence to within 10 feet of the street side property line in accordance with all applicable zoning standards.)
R. Lata, Community Development Director

9. Adopt Resolution No. 02-xx appropriating 2002 Community Development Block Grant (CDBG) funds. (Council adopted Resolution No. 02-38 in March 2002 determining the activities to be funded with the City's 2002 allotment of CDBG funds. The City expects to soon be notified that the US Department of Housing and Urban Development has approved the County of San Luis Obispo's 2002 One-Year Action Plan, which includes the City's proposal for use of 2002 CDBG funds. The City has already budgeted the amount allocated to Administration and Capacity Building [administrative activities], but needs to make appropriations for the non-administrative projects.)
R. Lata, Community Development Director

10. Adopt Resolution No. 02-xx approving an amendment to the Compensation and Benefit Plan for the Police Officers Association effective April 1, 2002, to March 31, 2006. (The P.O.A. bargaining group has ratified a tentative agreement that will establish pay and benefits that are comparable to the City's defined labor market and are internally aligned with the balance of the City work force.)
M. Williamson, Assistant to the City Manager

11. Adopt Resolution No. 02-xx accepting bid from American Star for the sale of surplus transit buses, subject to the removal of the condition that the City perform certain repairs before delivery. (One bid was received from American Star for purchase of transit buses #8 and #9, with condition that City replace the rear engine main seal before taking possession. City's bid instructions stated that buses would be sold "as is." The bidder has agreed to remove the condition.)
M. Compton, Administrative Services Director
12. Adopt Resolution No. 02-xx declaring certain City property as surplus and authorizing their sale by public auction. (Transit bus #5, Police patrol unit #641 and Public Works unit #503A are surplus and no longer being used by the City. Given the lack of space at the City Yard, it is desirable to dispose of said vehicles as quickly as possible. City's fleet manager recommended, consistent with current replacement policy, that the vehicles be declared surplus and be sold at public auction.)
M. Compton, Administrative Services Director
13. Approve request from the American Society of Civil Engineers (ASCE) to display a commemorative banner at the Veterans Memorial Bridge from August 12 to September 10. (ASCE will be celebrating its 150th anniversary. The bridge project was awarded ASCE Chapter "Project of the Year" honors for 2001-2002 Structures Project.)
J. Deakin, Public Works Director
14. Authorize the Mayor to execute an agreement not-to-exceed \$60,000 with the California Conservation Corps for clearing vegetation for flood control mitigation in the Salinas River. (On July 16, 2002, Council approved hiring the California Conservation Corps [CCC] to provide flood control clearing services. The CCC's draft proposal indicates that the \$60,000 maximum amount provides for clearing work to commence as early as August 12, 2002, and proceed through the autumn season. Should the CCC spend less than the full obligation in calendar year 2002, work may be carried over to the 2003 calendar year season.)
J. Deakin, Public Works Director
15. Adopt Resolution No. 02-xx approving the assignment of a real estate lease on Lot 2 of Parcel 16 in the Airport Industrial Park from Jim and Karen Reed (current lessees) to John and Marjorie Hamon. (On June 19, 2001, the City entered into a 20-year lease agreement with Jim and Karen Reed for Lot 2 of Parcel 16 at the Municipal Airport. Tenants have requested an assignment of the lease agreement, and provisions within the lease agreement allow for City approval of the requested assignment.)
J. Deakin, Public Works Director
16. Adopt Resolution 02-xx appropriating \$17,000 from General Fund Reserves to Budget Account No. 100-110-5235-010 to purchase and place 20 decorative trash receptacles for the downtown area. (Council has recognized a need for additional trash capacity in the downtown area and provided direction to purchase receptacles, which are to be consistent with downtown architecture. Additionally, City staff was directed to work with Main Street Association to orchestrate placement of the receptacles.)
J. Deakin, Public Works Director
17. Adopt Resolution No. 02-xx approving an addendum to the real estate lease with Nunno Corporation, LTD. at the Municipal Airport. (The City entered into a long-term lease agreement with the Nunno Corporation for Parcel 35 and 54 in the Airport Industrial Park on December 1, 1980. The lease property includes frontage along Dry Creek Road. Lessee agrees to provide for the future widening by contributing the efforts needed to widen Dry Creek Road along the lease frontage and agrees to memorialize the agreement within the lease, via the draft amendment.)
J. Deakin, Public Works Director

18. Adopt Resolution accepting the recordation of Parcel Map PR 01-360, a two-lot subdivision located on 21st Street, west of Almond Springs Drive. (Applicants John and June Bertoni have requested that Parcel Map PR 01-360 be accepted by the City for recordation. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission on February 12, 2002, have been satisfied.)
R. Lata, Community Development Director
19. Adopt Resolution No. 02-xx accepting the recordation of Parcel Map PR 01-263, a 2-lot subdivision located on Sherwood Road between Commerce Way and Fontana Road; accepting the offers of dedication for Sherwood Road; and annexing Parcel Map PR 01-263 into the Landscape and Lighting District. (Applicants Phillip and Melinda Parker have requested that Parcel Map PR 01-263 be accepted by the City for recordation. The Parkers intend to develop two commercial/industrial buildings and to move their business, Pacific Metal Finishing, to the site. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission on August 28, 2001, have been satisfied.)
R. Lata, Community Development Director
20. Adopt Resolution No. 02-xx accepting the recordation of Parcel Map PR 01-421, a 2-lot subdivision located on Spring Street between 34th and 36th Streets. (Applicants David and Cherie Landon have requested that Parcel Map PR 01-421 be accepted by the City for recordation. The Landon's intend to develop a commercial building on the parcel fronting Park Street. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission on March 12, 2002, have been satisfied.)
R. Lata, Community Development Director
21. Adopt Resolution No. 02-xx accepting the public improvements of Tract 2005 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 \$18,370. (This subdivision is located on Dallons Drive, west of Golden Hill Road. The public improvements, which the developer JM Wilson Development Corp. was required to install for this subdivision, have been completed. Further, the City will retain a Maintenance Bond for a period of one year as warranty for the improvements installed.)
R. Lata, Community Development Director
22. Adopt Resolution No. 02-xx accepting the public improvements of Tract 2281-3 (Shadow Canyon) 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 \$62,910. (This subdivision is located on Red River Drive, northeast of Creston Road. The public improvements, which the developer Bret Whitaker [aka La Ranchita, LLC] was required to install for this subdivision, have been completed. Further, the City will retain a Maintenance Bond for a period of one year as warranty for the improvements installed.)
R. Lata, Community Development Director

ROLL CALL VOTE

PUBLIC DISCUSSION

23. **Oak Tree Ordinance Revisions – Municipal Code Amendment 2001-001**

R. Lata, Community Development Director

Consider introducing for first reading a revision to the City's Oak Tree Preservation Ordinance. (At its July 16th meeting, Council directed staff to modify the Ordinance and bring it back for a new 1st reading and introduction. The original Planning Commission recommendations are that [1] 6-inch trunk diameter continues 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] Critical Root Zone replaces the term "drip line"; [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; and [7] the City recover costs for processing tree trimming and removal requests. This revised Ordinance reflects provisions that (8) would allow residential property owners, whose property is not involved in a development or entitlement application, to trim their oak trees without the need for a permit and without limitation on the size of limbs, as long as they do not endanger the health of the tree. (9) Provisions have also been included to allow residential property owners to request authorization to remove oak trees that are under the canopy of larger oak trees without the need to provide replacement trees. A cost recovery proposal will be presented for Council consideration at a future date.)

OPTIONS:

- a. Introduce for first reading 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.); and set August 20, 2002, as the date for second reading and adoption.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

24. **City Web Site Design and Development – Council Decision and Status Report**

D. McCue, Information Systems Manager

Receive a web site development status report and choose a preferred design theme. (The web site developer and staff worked together to create a framework for the site that includes the seven departments and their divisions. This site is expected to launch with considerably more than just the City Council and Planning Commission minutes, agendas, ordinances and resolutions. It will include more than 150 web pages of department/division operations and will grow as resources to develop additional functionality are added. Two web site design themes have been created. Council is requested to determine the design theme most appropriate.)

OPTIONS:

- a. Authorize use of Style 1 for launch of web site (to be displayed at Council meeting).
- b. Authorize use of Style 2 for launch of web site (to be displayed at Council meeting).
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

25. All-Way Stop (Temporary) at Niblick Road and Country Club Drive

J. Deakin, Public Works Director

Consider designating the intersection of Niblick Road and Country Club Drive as an all-way stop intersection for one additional year. (On November 20, 2001, the City Council approved installation of a 4-way stop sign at the intersection of Niblick Road and Country Club Drive for an interim period of six months. Council directed staff and the Streets and Utilities Committee to review the six-month effect of the stop signage to determine future intersection needs. On June 28, 2002, the Streets and Utilities Committee directed staff to return to Council with the recommendation to continue to post the all-way stop for one additional year--through June 2003.)

OPTIONS:

- a. Adopt Resolution No. 02-xx designating the intersection of Niblick Road/Country Club Drive as an all-way stop intersection, and require all vehicles to stop at all entrances to the intersection.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

26. Appointment of Council Ad Hoc Committee – Barney Schwartz Park Concession Stand Proposals

B. Partridge, Library & Recreation Services Director

Consider appointment of an ad hoc committee to review Barney Schwartz Park concession operation proposals. (The City will operate the concession stands at Barney Schwartz Park using a contract concessionaire. Request for Proposals for that operation were solicited and three proposals were returned. A committee comprised of Mike Compton, Joe Deakin, Barbara Partridge and Gary Perruzzi reviewed the proposals and ranked them based on required elements within the proposal, experience in concession operations and ability to work effectively with staff. The top two proposers based on committee review are Brett Butterfield and NCI Affiliates, Inc.)

OPTIONS:

- a. Appoint a two-member ad hoc committee to review proposal analysis, interview the top two proposers and report back to full Council by September 3, 2002.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

27. Request to Locate Fundraising Advertisement (Portable Billboard) in the Public Right-of-Way

R. Lata, Community Development Director

Consider a request to locate a portable (trailer-mounted) billboard in the public right-of-way for the purpose of advertising a scholarship fundraising event. (The Paso Robles Rotary Club is requesting to park a trailer-mounted portable billboard in the parking lane of Spring Street along the frontage of City Hall. The request is made to support fundraising for local high school scholarships and would be displayed August 7 to 24, 2002.)

OPTIONS:

- a. Approve use of the portable billboard in the requested location based on its purpose of advertising a non-profit fundraising event that benefits local high school scholarships.
- b. Approve use of the portable billboard in an alternative location based on its purpose of advertising a non-profit fundraising event that benefits local high school scholarships.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

28. Special Event City Sponsorship Criteria

B. Partridge, Library & Recreation Services Director

Adopt criteria by which the City may consider the financial sponsorship of a special event. (Council requested the development of criteria specific to independent special events for City consideration of financial sponsorship. This criteria specifies the unique and significant nature of the event, with the ability to generate more income than expenditures, draw local, state and national attention, participants and spectators, and receive the written endorsement of the Paso Robles Chamber of Commerce, Paso Robles Visitors and Conference Bureau and the Main Street Association. Additionally, at its June 4th meeting, Council directed staff to ensure that there was language that clearly allowed for any local organization to apply for sponsorship.)

OPTIONS:

- a. Adopt City-Sponsored Special Event Criteria, as presented.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

29. Water Quality/Wastewater Discharge Compliance

J. Deakin, Public Works Director

Consider City water quality/wastewater discharge compliance and provide direction to staff on next steps to research the issues. (The California Regional Water Quality Control Board [RWQCB] reports that the City's current discharges may already exceed permitted limits for Salts. In addition, the RWQCB warns that the Salts issue will be addressed with greater scrutiny in 2005, thereby increasing the need for the City to understand the issue and develop options for control. In order to prepare for the effluent Salts issue, the City needs to explore the technical, physical and financial aspects relative to the wastewater effluent, the source water, and the potable water uses in the City.)

OPTIONS:

- a. Direct staff to develop and issue a Request for Qualifications (RFQ) for qualified engineering or hydro-geologic firms to research the wastewater effluent/water supply issues and options, and to report back to Council to award a contract to the most qualified respondent.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

30. Street Names for New Union Road/North River Road Configuration

R. Lata, Community Development Director

Review two options for naming the streets in conjunction with the new configuration of North River Road and Union Road. (With the 13th Street bridge-widening project, the intersection of Union Road and North River Road will be reconfigured and Council direction is needed in naming the streets.)

OPTIONS:

- a. Direct staff to process a street name change that would change the name of the portion of the street that intersects with 13th Street (the existing North River Road) to Union Road, as shown on Exhibit "A."
- b. Leave the street names of Union Road and North River Road as shown on Exhibit "B" and direct staff to take no further action on the matter.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

CITY MANAGER

31. Vacancy – Airport Advisory Committee

J. Deakin, Public Works Director

Consider appointing a replacement to fill a vacancy on the Airport Advisory Committee. (A regular member on this Committee has moved out of the area, creating a vacancy. As there are two alternate members, Council may appoint one of the alternates to complete the regular member's term.)

OPTIONS:

- a. Appoint Brian Camsuzou or Suzanne Smith as a regular member to complete the term of Karl Dearie on the Airport Advisory Committee.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

32. Urban Water Management Plan Implementation – Ad Hoc Committee

J. Deakin, Public Works Director

Consider extending the duration of the Urban Water Management Plan (UWMP) Implementation ad hoc committee formed on January 3, 2002, to review the City's 2000 UWMP and develop an implementation schedule for the 18 best management practices.

OPTIONS:

- a. Extend the duration of the UWMP ad hoc committee to January 23, 2003.
- b. Amend, modify or reject the above option.

VOICE VOTE

33. Fees for Service – Ad Hoc Committee

R. Lata, Community Development Director

Consider extending the duration of the Fees for Service ad hoc committee formed on April 2, 2002, to review the City's fees for services in the Community Development Department.

OPTIONS:

- a. Extend the duration of the Fees for Service ad hoc committee to December 31, 2002.
- b. Amend, modify or reject the above option.

VOICE VOTE

COUNCIL COMMENTS

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 Labor Negotiator

Government Code Section 54957

City Negotiator: James App, City Manager

Employee Organizations: Unrepresented Management Group

b. 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

c. Conference with Legal Counsel – Anticipated Litigation

Subdivision (c) of Government Code Section 54956.9

Initiation of Litigation

Number of cases: One

ADJOURNMENT:

- TO THE GENERAL PLAN PUBLIC WORKSHOP AT 7:00 PM ON THURSDAY, AUGUST 8, 2002, AT THE CULINARY ARTS CENTER, 1900 GOLDEN HILL ROAD;
- TO THE CHANDLER RANCH ALTERNATIVES WORKSHOP AT 7:30 PM ON THURSDAY, AUGUST 13, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET;
- TO THE GENERAL PLAN PUBLIC WORKSHOP AT 7:00 PM ON THURSDAY, AUGUST 15, 2002, AT THE SCHOOL DISTRICT BOARD ROOM, 800 NIBLICK ROAD;
- TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, AUGUST 20, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR
COUNCIL MEETING IS AUGUST 9, 2002***