

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, September 3, 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 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 1-17 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.**

1. Approve City Council minutes of June 18, 2002.
D. Fansler, City Clerk
2. Receive and file Advisory Body Committee minutes as follows:
Senior Citizen Advisory Committee meeting of July 8, 2002
Pioneer Museum Board meeting of August 8, 2002
3. Approve Warrant Register – Warrant Nos. 34927 (8/16/02) – 35276 (8/23/02)
M. Compton, Administrative Services Director
4. Adopt Ordinance No. XXX N.S, amending the Borkey Area Specific Plan to modify required setbacks from Highway 46 East and remove development height restriction (Applicant – City of Paso Robles) – Specific Plan Amendment 02-003. FIRST READING AUGUST 20, 2002.
R. Lata, Community Development Director
5. Adopt Ordinance No. XXX N.S, amending the Zoning Map established by reference in Section 21.12.020 of the Zoning Code (Title 21) – Rezone 02-005, northeast corner of Creston Road and Sherwood Road – Hastings/Food 4 Less. FIRST READING AUGUST 20, 2002.
R. Lata, Community Development Director
6. Adopt Ordinance No. XXX N.S, amending the Zoning and Building Titles of the Municipal Code regarding allowing drive through uses within the C-1 Zoning District with a Conditional Use Permit (Code Amendment 02-010) FIRST READING AUGUST 20, 2002.
R. Lata, Community Development Director

7. Proclamation – Grapes of Wrath Month, October 2002
F. Mecham, Mayor
8. Proclamation – James Founders Day, September 14, 2002
F. Mecham, Mayor
9. Adopt Resolution No. 02-xx approving a salary adjustment for the City Manager in accordance with the City Manager Employment Contract. (Based on the annual review of the City Manager’s performance recently conducted by the City Council, Council approved an adjustment to the base salary of the City Manager effective September 1, 2002. The annual base salary paid under contract shall be increased to \$117,656.)
I. Yang, City Attorney
10. Approve a request by Heritage Oaks Bank to place a temporary mobile billboard at the intersection of 12th and Spring Streets from 7:00 a.m. to 10:00 a.m. on Sunday, September 29, 2002, during the Heritage Oaks “Family Fun Run” 5th annual event. (Streets surrounding downtown City Park, including most of Spring Street, will be closed off during this event. In addition to giving recognition to sponsors of the event, the billboard will serve as a large marker leading to the finish line of the Run.)
R. Lata, Community Development Director
11. Adopt Resolution No. 02-xx accepting the recordation of Parcel Map 01-273, a two-lot subdivision located on Walnut Drive, north of Shannon Hill Drive. (Recordation of the Parcel Map is a step toward finalizing development plans for a residential development and subdivision at this location. The Parcel Map was tentatively approved by the Planning Commission on February 12, 2001, and all conditions imposed have been satisfied. Applicants: Frank and Victoria Teague).
R. Lata, Community Development Director
12. Adopt Resolution No. 02-xx accepting and approving the execution and recordation of the Final Map and Subdivision Agreement for Tract 1632-9 (Pioneer Land Development Company and North County Partners, LLC); and adopt Resolution No. 02-xx annexing Tract 1632-9 as part of Subareas 70A and 70B to the Paso Robles Landscape & Lighting District No. 1. (Tract 1632-9 is the ninth phase of a proposed 391-lot subdivision of a 100-acre site, located north of Meadowlark Road and east of Creston Road. This tract was tentatively approved by the Planning Commission in January 1989. With the exception of the construction of the public improvements, all conditions imposed by the Planning Commission have been satisfied. Applicants have signed a Subdivision Improvement Agreement guaranteeing construction of these improvements within a one-year period.)
R. Lata, Community Development Director
13. Adopt Resolution No. 02-xx awarding a bid for bus stop map display units to low bidder Transit Information Products. (The installation map displays is the last improvement identified by the adopted Short Range Transit Plan. The displays will be installed at all fixed-route bus locations. Bids were public noticed and set to all known potential interested parties. Two bids were received, with Transit Information Products being the low bidder at \$8,610.50.)
M. Compton, Administrative Services Director
14. Adopt Resolution No. 02-xx approving a budget appropriation for the City’s solid waste incentive payment to Pacific Waste Services (PWS) in accordance with the current contractual agreement. (Council previously approved a landfill operations agreement with PWS, which included provision for an annual revenue incentive payment based upon total revenues exceeding 4% growth rate. Based on the growth of revenue collections during the period August 1, 2001, through July 31, 2002, a payment of \$188,726 is now due to PWS.

As the Solid Waste Operations Fund was de-commissioned as an enterprise fund beginning with the fiscal year 2002, and franchise fee payments are now deposited into the General Fund, it is necessary to appropriate funds from the General Fund for the incentive payment.)
M. Compton, Administrative Services Director

15. Adopt Resolution No. 02-xx approving an appropriation limit for the fiscal year 2002-03; operating and maintenance budget. (Article XIII B of the State Constitution requires state and local governments to annually adopt an appropriations limit. The limit may be adjusted annually by a factor comprised of the change in population combined with either the change in California per capita personal income or the change in the local assessment roll due to local non-residential construction.)
M. Compton, Administrative Services Director
16. Adopt Resolution No. 02-xx rejecting all bids for Salinas riverbed clearing using goats. (Bids were opened on June 20, 2002, for using goats to clear the Salinas riverbed. The apparent low bid was submitted by Bob Blanchard/Mitch Roth of Paso Robles. Upon further study and review, Council directed that the funds originally approved for riverbed clearing using goats be instead used to retain the services of the California Conservation Corps to do vegetative clearing.)
J. Deakin, Public Works Director
17. Adopt Resolution No. 02-xx awarding the contract for the annual sidewalk replacement project (DPW Project No. 02-15) to Brinar Construction of San Luis Obispo and allocating \$7,500 to Budget Account No. 205-310-5452-162 for \$36,369.50. (At the bid opening on August 22, 2002, two bids were received, with the low bid submitted by Brinar Construction.)
J. Deakin, Public Works Director

ROLL CALL VOTE

PUBLIC DISCUSSION

18. **Acceptance of Methodology for Reimbursement for Installation of a Traffic Signal at the Intersection of Niblick Road and Nicklaus Drive (Oak Creed Commons, Tract 2404 and PD 00-016)**

R. Lata, Community Development Director

Consider authorizing a reimbursement to the developer of Tract 2404 and PD 00-016 for the installation of a traffic signal at the intersection of Niblick Road and Nicklaus Drive in accordance with Methodology No. 2 as outlined in the Traffic Engineer's report of June 2002. (In November 2000, the Planning Commission adopted resolutions approving Tract 2404 and PD 00-016. As a condition of that approval, the developer is required to install a traffic signal at the intersection of Niblick Road and Nicklaus Drive and may request the City Council to authorize reimbursement for a portion of the installation costs. The developer has provided a report recommending that the developer's share of the costs of installation be 9.13 percent.)

OPTIONS:

- a. Adopt Resolution No. 02-xx authorizing a reimbursement to the developer of Tract 2404 and PD 00-016 of 90.87 percent of the cost of design and installation of a traffic signal at the intersection of Niblick Road and Nicklaus Drive.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

19. Update Citywide Speed Zone Survey

J. Deakin, Public Works Director

Consider awarding a contract to Omni-Means of Roseville, California, to update the Citywide Speed Zone Survey. (The City is required to update its Speed Zone Survey every five years as mandated by State law. The Survey is used to establish and post speed limit signs in City streets. The last Survey was completed and adopted in 1998. A Request for Proposal was issued to three consultants. Two firms responded to the City's request, with Omni-Means being the low bidder at \$12,960.)

OPTIONS:

- a. Adopt Resolution No. 02-xx appropriating \$15,000 to Budget Account No. 100-310-5235-162 and awarding a professional services contract to Omni-Means of Roseville for a not-to-exceed fee of \$12,960.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER

20. Advisory Body Appointments – Youth Commission

B. Partridge, Library & Recreation Services Director

Accept recommendations from Mayor Mecham and Councilmember Finigan for making appointments to fill current Youth Commission vacancies. (Interviews of applicants to the Youth Commission were conducted at the Council meeting of August 22, 2002, by Mayor Mecham and Councilmember Finigan. As there was not a quorum of the Council present, appointments could not be made at the meeting.)

- 5 vacancies (2-year terms expiring 7/1/04)
 - 5 applicants (1 of which is an incumbent)
- a. Make appointments for commission vacancies from the following applicants:

Tianna Minter	Christina Escobar
Mary Joynt (incumbent)	Jonathan Spencer
Sandra Smith	

- b. 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, 2nd Floor

a. Conference with Real Property Negotiator

Government Code Section 54956.8

Property: 940 Spring Street

Negotiating Party: Superior Court and San Luis Obispo County

City Negotiator: James App, City Manager

Under Negotiation: Lease Agreement – Terms and Conditions

b. Conference with Labor Negotiator

Government Code Section 54957.6

City Negotiator: James App, City Manager

Employee Organizations: Unrepresented Part-time

International Association of Firefighters

Local 4148, AFL-CIO/CLC

ADJOURNMENT: TO THE SENIOR CITIZEN AND HOUSING AUTHORITY ADVISORY INTERVIEWS 7:00 PM ON **THURSDAY, SEPTEMBER 5, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE CHAMBER OF COMMERCE EVENT *WAKE-UP PASO ROBLES* 7:30 AM ON **TUESDAY, SEPTEMBER 10, 2002**, AT THE PASO ROBLES INN BALLROOM, 1103 SPRING STREET.

FUTURE MEETINGS

- SEPTEMBER 11TH MEMORIAL 7:00 PM ON **WEDNESDAY, SEPTEMBER 11, 2002**, AT DOWNTOWN CITY PARK.
- JOINT COUNTYWIDE COUNCIL MEETING 6:00 PM ON **THURSDAY, SEPTEMBER 12, 2002**, AT THE EMBASSY SUITES, 333 MADONNA ROAD, SAN LUIS OBISPO
- REGULAR CITY COUNCIL MEETING 7:30 PM ON **TUESDAY, SEPTEMBER 17, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR COUNCIL MEETING IS SEPTEMBER 6, 2002