

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 17, 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 agenda that is to be deferred or tabled.

PRESENTATIONS

1. **Local, Regional and Statewide Housing Needs**

R. Lata, Community Development Director

Consider and discuss local housing needs in the context of regional and statewide housing demands. SLO Council of Governments Executive Director will present the Countywide Draft Regional Housing Needs Plan.

OPTIONS:

- a. Receive a presentation on the countywide Draft RHNP, and afterwards:
 - i. Review/discuss the RHNP;
 - ii. Provide direction to City staff for inclusion in the City's response to SLOCOG;
 - iii. Schedule this item for consideration at the Council's October 1, 2002, meeting at which time the Council will be asked to review a draft response letter to SLOCOG on the Draft RHNP; and, authorize it release to SLOCOG.
- b. Request additional information and analysis.
- c. Amend, modify or reject the above options.

NOTICED HEARINGS

2. **Code Amendment 02-009 (Church Uses in the Planned Industrial Zone)**

R. Lata, Community Development Director

Consider an amendment of the Zoning Ordinance to allow churches to locate within the Planned Industrial (PM) zoning district with a Conditional Use Permit. (Calvary Chapel of Paso Robles [proposed to be located at 1615 Commerce Way] filed the request for code amendment. The Planning Commission recommends adoption of the Environmental Negative Declaration and approval of the Code Amendment.)

OPTIONS:

- a. **To approve the project as submitted:**
 1. Adopt Resolution No. 02-xx granting a Negative Declaration status to Code Amendment CA 02-009 (church use in PM zone).
 2. Introduce Ordinance No. XXX N.S. amending Table 21.16.200 to allow churches as a conditionally permitted use in the PM zone; and set October 1, 2002, as the date for adoption of said Ordinance.
- b. **To approve the project with changes:**
 1. Direct staff to prepare an ordinance establishing churches as a permitted use in the PM zone, with a series of newly created restrictions.
 2. Set a subsequent public hearing on the ordinance.
- c. Amend, modify or reject the above options.

3. Code Amendment 02-012: Prohibit Recreational Vehicles as Residences

R. Lata, Community Development Director

Consider a City-initiated amendment to the Zoning Code to prohibit the use of recreational vehicles, trailers and campers as residences in residential zoning districts. (Ordinance No. 690 N.S. was adopted in 1995 amending the Zoning Code to prohibit the use of travel trailers, recreational vehicles, campers, and similar vehicles as residences in residential zoning districts. In 2000, Ordinance No. 791 N.S. was adopted replacing Ordinance No. 690 N.S. The new ordinance identified unlawful areas to use recreational vehicles, camp and sleep, but inadvertently deleted the prohibitions on use of travel trailers, recreational vehicles, campers and similar vehicles as residences in residential zoning districts. The restoration of the text adopted by Ordinance No. 690 N.S. would eliminate confusion.)

OPTIONS:

- a. Introduce Ordinance No. XXX N.S. amending the zoning code to re-establish regulations prohibiting use of travel trailers, recreational vehicles, and campers as residences in residential zoning districts, and set October 1, 2002, as the date for adoption of said Ordinance.
- b. Amend, modify or reject the above option.

4. Code Amendment 02-011 – Employee Housing

R. Lata, Community Development Director

Consider a City-initiated amendment to the Zoning Code to establish employee housing as a conditionally permitted use in Commercial, Industrial, Agricultural, and Parks and Open Space zoning districts. (The 1991 Land Use Element calls for the City to facilitate the establishment of limited amounts of residential use in any of the commercial land use categories in order to achieve several purposes, including provision of affordable housing to employees and their families. The 1994 Housing Element of the General Plan calls for maintaining a variety of types of housing and for encouraging development of limited amounts of residential use on commercial and industrial properties. The Planning commission is scheduled to consider the draft code amendment on September 10 and will be presenting an oral report to Council at the September 17 meeting.)

OPTIONS:

- a. (1) Adopt Resolution No. 02-xx approving a Negative Declaration for Code Amendment 02-011.
- (2) Introduce Ordinance No. XXX N.S. amending the Zoning Code to permit employee housing in Commercial, Industrial, Agricultural, and Parks and Open Space zoning districts as a conditional use, and set October 1, 2002, as the date for adoption of said Ordinance.
- b. Amend, modify or reject the above option.

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5. 2002-2003 Local Law Enforcement Block Grant Award

D. Cassidy, Chief of Police

For the City Council to consider acceptance of a \$15,299 award granted by the Bureau of Justice Assistance Programs for the purchase of (2) ATVs.

OPTIONS:

- a. Adopt Resolution No. 02-xxx authorizing the Police Department to meet the grant conditions and accept the award, allocating the total grant award of \$15,299 and the City's matching contribution of \$1,700 to purchase the identified equipment.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

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

6. **Long-term Financing for Wastewater Collection and Treatment Plant Improvements**

M. Compton, Administrative Services Director

Consider approval of various documents for the long-term financing of wastewater collection and treatment facility improvements. (Long-term interest rates are at historical lows. Issuing debt in this market will provide considerable savings over initial debt service cost estimates. Lower interest rates also provide sufficient savings to refinance the 1993 Sewer Revenue Refunding Bonds, a re-funding of the 1987 Sewer Revenue Bonds. The debt financing will be called "2002 Installment Sale Sewer Revenue Bonds." An installment sale financing is a blend of a straight revenue bond issue and a certificate of participation.)

OPTIONS:

a(1) That the **COUNCIL** take the following actions:

1. Introduce for first reading Ordinance No. XXX N.S. authorizing:
 - a) The installment purchase of certain sewer improvements for the El Paso de Robles Public Financing Authority;
 - b) Authorizing and directing the execution of an acquisition agreement and an installment sale agreement;
 - c) Approving the sale of 2002 Installment Sale Revenue Bonds (Sewer Enterprise) by the Authority;
 - d) Authorizing official actions; and
2. Introduce for first reading Ordinance No. XXX N.S. amending Section 14.04.020 of the City of El Paso de Robles to adjust Sewer User Fees.

ROLL CALL VOTE (CITY COUNCIL)

a(2) The **PUBLIC FINANCING AUTHORITY** introduce for first reading Ordinance No. XXX N.S:

- a) Authorizing the issuance of not to exceed \$13,000,000 principal amount of 2002 Installment Sale Revenue Bonds (Sewer Enterprise) relating to certain sewer improvements and the refunding of the 1993 El Paso de Robles Public Financing Authority Sewer Revenue Bonds, Series A;
- b) Authorizing and directing the execution of a related indenture of trust, installment sale agreement and escrow deposit and trust agreement;
- c) Authorizing the sale of 2002 Installment Sale Revenue Bonds (Sewer Enterprise);
- d) Approving an official statement, an official notice of sale and an official bid form; and
- e) Authorizing official actions.

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

ROLL CALL VOTE (PUBLIC FINANCING AUTHORITY)

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 7-18 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

7. Approve City Council minutes of June 18, August 6, August 20, August 22, August 23, September 3 and September 5, 2002.
D. Fansler, City Clerk
8. Approve Warrant Register - Warrant Nos. 35277 (8/30/02) – 35512 (9/602)
M. Compton, Administrative Services Director
9. Receive and file Advisory Body Committee minutes as follows:
Youth Commission meeting of June 5, 2002
Senior Citizen Advisory Committee meeting of August 12, 2002
10. 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). DUE TO LACK OF A MAJORITY VOTE ON 9/3/02, 2ND READING OF THIS ORDINANCE HAS BEEN BROUGHT BACK IN THE 9/17/02 AGENDA. FIRST READING WAS AUGUST 20, 2002.
R. Lata, Community Development Director
11. Adopt Resolution No. 02-xx approving an amendment to the Compensation Plan for Part Time Workers, effective April 1, 2002, to March 31, 2006. (The City's part-time employees are an "un-represented" segment of the City's workforce. The pay structure for part-time employees is intended to provide appropriate compensation for the part-time work force in relation to the rest of the organization, as well as to adequately compete with our labor market. Costs of the wage adjustments are within established budget parameters.)
M. Williamson, Assistant to the City Manager
12. Adopt Resolution No. 02-xx approving a Lease-Purchase Agreement for Two Fire Engines with LaSalle National Leasing Association and authorizing the reimbursement of costs advanced in accordance with IRS regulations. (The current budget contains appropriations for the purchase of two new fire engines and the debt service payments for the lease-purchase financing. Requests for quotes were distributed to 16 firms. LaSalle quoted the lowest interest cost at 3.23% with no additional fees or charges and a \$1 buy-out at expiration date.)
M. Compton, Administrative Services Manager
13. Extend duration of ad hoc committee to study funding for art in public places to January 21, 2003.
B. Partridge, Library & Recreation Services Director
14. Extend duration of ad hoc committee to review indemnification clauses in City Contracts to November 19, 2002.
J. Seitz, Deputy City Attorney

- 15. Extend duration of ad hoc committee review the draft of the Airport Master Plan to January 31, 2003.
J. Deakin, Public Works Director
- 16. Extend duration of ad hoc committee to review energy conservation proposals to January 31, 2003.
J. Deakin, Public Works Director
- 17. Extend duration of ad hoc committee to review issues regarding Airport leases and lease amendments to January 31, 2003.
J. Deakin, Public Works Director
- 18. Extend duration of ad hoc committee to review proposals and conduct interviews regarding an Airport Terminal restaurant to December 17, 2002.
J. Deakin, Public Works Director

ROLL CALL VOTE

PUBLIC DISCUSSION

19. Southwest Reservoir Design Revision

J. Deakin, Public Works Director

Review and endorse a revised design of the Southwest Reservoir Project. (In October 2001, Boyle Engineering was engaged to design the Southwest Reservoir at the selected site. During the design, Boyle analyzed options for siting the reservoir to provide for the necessary water pressure and flow. Boyle Engineering is recommending the City consider lowering the reservoir elevation.)

OPTIONS:

- a. Direct staff to continue to design the Southwest Reservoir, revising the reservoir design elevation to 870 feet above mean sea level, and to begin negotiations to acquire property needed to construct the reservoir, distribution piping, and associated facilities.
- b. Direct staff to continue designing the Southwest Reservoir at the original elevation of 1,060 feet, and begin negotiations to acquire property needed to construct the reservoir, distribution piping, and associated facilities.
- c. Amend, modify or reject the above option.

ROLL CALL VOTE

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20. Vehicle Replacement List

J. Deakin, Public Works Director

Review the vehicle bid list and direct staff on a course of action. (In March 2002, Council deferred the FY02 vehicle purchase and created an ad hoc committee to review the City's vehicle/equipment purchasing procedures. The review and refinement goals were to get the most useful equipment for City staff at the lowest possible price [as required by State law] and to make the process simple and fair. Since the FY02/03 Biennial Budget was adopted in June 2001, other needs have been identified that modify the vehicles authorized for purchase or add to the fleet beyond the budgeted New & Expanded Services. Staff is requesting Council to consider budget modifications.)

OPTIONS:

- a. Direct staff to proceed to bid with the attached vehicle/equipment replacement list included in this report and adopt Resolution No. 02-xx:
 - 1. Appropriating \$12,000 from General Fund Reserves to Budget No. 100-710-5454-217 to upgrade SUV's for the Community Development Department (2 each, \$6,000 upgrade per vehicle).
 - 2. Authorizing reallocation of \$70,000 originally budgeted for an asphalt patch truck to be used for 3 additional pick-up trucks.
 - 3. Directing staff to adopt the revised bidding process and solicit bids.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

21. Barney Schwartz Park Irrigation Reservoir

B. Partridge, Library and Recreation Services Director

Review Barney Schwartz Park (BSP) irrigation reservoir use policies. (BSP Lake was designed as an irrigation reservoir, and is currently posted for no swimming. Use is being randomly documented, no accidents have been reported, nor claims filed. As long as the lake is properly posted to prohibit swimming, the City's liability exposure is relatively minimal, though it does not prevent the filing of claims or lawsuits.)

OPTIONS:

- a. Continue with current City code prohibiting swimming at Barney Schwartz Park Lake.
- b. Consider amending the Municipal Code to allow for swimming and modifying the budget to provide \$105,000/year for lifeguards.
- c. Consider amending the Municipal Code to prohibit all contact with lake waters, and appropriating \$75,000 in funds to install perimeter fencing.
- d. Amend, modify or reject the above options.

ROLL CALL VOTE

22. Terrorism Coverage – Property Insurance

M. Compton, Administrative Services Director

Consider whether or not to purchase additional property insurance to specifically cover acts of terrorism. (Since September 11th, insurance companies have significantly broadened the property insurance exclusions to include “acts of terrorism.” The City’s current property insurance policy contains an exclusion for “acts of terrorism,” thus providing no insurance coverage should such an event occur in Paso Robles. Separate terrorism insurance is available, as well as several options for Council consideration.)

OPTIONS:

- a. Provide direction to staff as to whether or not terrorism coverage should be purchased, and if so, to what extent; and direct staff to return to Council with a budget appropriation.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

23. Downtown Fountain Fence Replacement

J. Deakin, Public Works Director

Consider appropriating funds to replace the wrought iron fence surrounding the Downtown City Park fountain. (Due to moisture and other environmental factors, the fence surrounding the fountain has rusted and deteriorated. Repairing the fence requires replacing all of the visible metal parts; the cost is not budgeted in the FY03 program.)

OPTIONS:

- a. Direct staff to submit the project to replace the wrought iron fence surrounding the Downtown City Park fountain on the list of FY04 budget request under capital projects.
- b. Adopt Resolution No. 02-xx approving a budget appropriation of \$10,000 for the replacement of the wrought iron fence surrounding the Downtown City Park fountain.
- c. Amend, modify or reject the above option.

ROLL CALL VOTE

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CITY MANAGER

24. Advisory Body Appointments – Youth Commission

B. Partridge, Library & Recreation Services Director

Consider appointments to the Youth Commission. (On September 3, 2002, Council appointed members to the Youth Commission, but did not designate regular members vs. alternate members. Subsequent to that meeting, another vacancy on the Commission was created by the resignation of an alternate member.)

OPTIONS:

- a. Reappoint Michelle Lachance to the Youth Commission for an additional term expiring 7/1/04 and designate which of the six applicants will be appointed to the unexpired “alternate” term (to complete Courtney Pritchard’s term) expiring 7/1/03:

Christina Escobar
Mary Joynt (incumbent)
Sandra Smith

Tianna Minter
Jonathan Spencer
Michelle Lachance (incumbent)

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

ROLL CALL VOTE

**25. Advisory Body Appointments – Citizen Airport Advisory Committee
Applicant Interview/Appointment Date**

J. App, City Manager

Schedule date for conducting interviews and making appointments for vacancies on the Citizens Airport Advisory Committee.

- 7 vacancies (five 2-year regular terms expiring October 31, 2004; and two 1-year unexpired alternate terms [to complete Brian Camsuzou and Suzanne Smith’s terms] both expiring October 31, 2003)
- 15 applicants

Applicants:

Richard Adams
Lee Agon (incumbent)
Roger Blank
Steve Ellis
Alan Fillmore
J. Mac Gleim (incumbent)
Hal Kempthorne
Suzanne Smith (incumbent)

Jon Jones
Thomas Leatherwood
Stanley Levanduski
James L. McCall, III
Richard Morton (incumbent)
Larry Radka, Jr.
Ronald Rose (incumbent)

ROLL CALL VOTE

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION

26. **Transit Advisory Committee - Membership**

M. Compton, Administrative Services Director

Consider reducing the number of appointees to the Transit Advisory Committee (TAC). (It is becoming increasingly difficult to recruit applicants for the committee. Reducing the number of members will mitigate this problem and make it easier for the TAC to have a quorum.)

OPTIONS:

- a. Reduce the number of appointees (members) to the Transit Advisory Committee to five and modify by-laws accordingly.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

AD HOC COUNCIL BUSINESS – None

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 54957.6

City Negotiator: James App, City Manager

Employee Organizations: International Association of Firefighters
Local 4148, AFL-CIO/CLC

ADJOURNMENT: to THE ALL-CITY SUMMER PICNIC AT 3:00 PM ON FRIDAY, SEPTEMBER 20, 2002, AT BARNEY SCHWARTZ PARK, 2970 UNION ROAD; AND TO THE REGULAR MEETING ON TUESDAY, OCTOBER 1, 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 SEPTEMBER 20 , 2002