

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, October 1, 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 item on agenda that is to be deferred or tabled.

**PRESENTATIONS - None**

**NOTICED HEARINGS**

**1. Villa Lane Design Standard Waiver 02-002 (Charnley)**

R. Lata, Community Development Director

Consider approving a request to (1) modify City street design standards, including horizontal and vertical alignment and slope for Villa Lane, and realign a portion of 21<sup>st</sup> Street to avoid an oak tree; and (2) waive the sidewalk installation requirement on the property's Villa Lane and 21<sup>st</sup> Street frontages. (In March 2002, the Planning Commission approved Tentative Parcel Map 01-0102 for a three-lot subdivision of an existing 1.6-acre parcel located on the northwest corner of Villa Lane and 21<sup>st</sup> Street, subject to compliance with City's Street Design Standards. The Planning Commission reviewed the applicant's request in September 2002 and recommends approval.)

**OPTIONS:**

a. After hearing public testimony, adopt Resolution No. 02-xx:

- (1) Allowing a modification of City Hillside Street standards for vertical alignment to exceed 15%, and to allow curve radii and the intersection of Villa Lane with 21st Street to deviate from City standards; and
- (2) Allowing a waiver of Collector Street standards for the curb and gutter on 21st Street to "bulb out" around the existing oak tree on the north side of 21st Street, and the sidewalk meander around the tree; and
- (3) Approving the request for a waiver of sidewalk installation requirements on Villa Lane, and allow the applicant to install curb and gutter only per the applicable City Standards as required in conditions of approval for Tentative Parcel Map PR 01-102; and
- (4) Approving the request for a waiver of sidewalk installation requirements on 21st Street, and allow the applicant to install curb and gutter only per the applicable City Standards as required in conditions of approval for Tentative Parcel Map PR 01-102.

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

**2. Downtown Parking and Circulation Analysis and Action Plans**

R. Lata, Community Development Director

Review the Draft Downtown Parking and Circulation Analysis and Action Plans and mitigated negative declaration therefor. (The City's Economic Strategy was prepared in part to provide guidance on the types of actions to ensure the continued revitalization of Downtown Paso Robles. In order to achieve the objectives of the revitalization efforts, four actions were identified: [1] development and implementation of a plan to optimize parking, including a parking plan for the Downtown; [2] support of "eased" parking restrictions; [3] initial planning for a City parking facility; and [4] development of a detailed circulation plan that is based on a citywide traffic study of the west wide and retail core.)

**OPTIONS:**

- a. (1) Adopt Resolution No. 02-xx approving the Mitigated Negative Declaration and associated Mitigation Monitoring/Reporting Program.
- (2) Adopt Resolution No. 02-xx approving the Downtown Parking and Circulation Analysis; and approving the Recommended Action Plans.
- (3) Consider discussing the priority and possible sources of funding to provide for implementation of the individual items listed in the Action Plans.
- b. Request additional information and analysis, including development of a specific funding proposal.
- c. Amend, modify or reject the above options.

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

**CONSENT CALENDAR**

- 3. Adopt Ordinance No. PF-02-XX, an ordinance of the Public Financing Authority of the City of El Paso de Robles, authorizing the issuance of a not to exceed \$13,000,000 principal amount of 2002 Installment Sale Revenue Bonds relating to improvements to the City of El Paso de Robles sewer system and the refunding of the 1993 El Paso de Robles Public Financing Authority Sewer Revenue Bonds, Series A, authorizing and directing execution of a related Indenture of Trust, Installment Sale Agreement and Escrow Deposit and Trust Agreement, authorizing the sale of 2002 Installment Sale Revenue Bonds (Sewer Enterprise Project), approving an Official Statement, an Official Notice of Sale and an Official Bid Form and authorizing official actions. FIRST READING WAS SEPTEMBER 17, 2002.  
M. Compton, Administrative Services Director

**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 4-16 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

- 4. Approve Warrant Register - Warrant Nos. 35513-35627 (9/13/02) to 35628-35769 (9/20/02)  
M. Compton, Administrative Services Director

5. Receive and file Advisory Body Committee minutes as follows:  
 Transit Advisory Committee meeting of June 5, 2002  
 Parks & Recreations Advisory Committee meeting of July 9, 2002  
 Housing Authority Board meeting of September 10, 2002  
 Library Board of Trustees meeting of August 8, 2002
  
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. DUE TO LACK OF A MAJORITY VOTE ON 9/3/02, 2<sup>ND</sup> READING OF THIS ORDINANCE WAS BROUGHT BACK TO COUNCIL ON 9/17/02. ITEM WAS THEN CONTINUED TO 10/1/02. FIRST READING WAS AUGUST 20, 2002.  
 R. Lata, Community Development Director
  
7. Table second reading of Ordinance No. XXX N.S. amending Title 21 (Zoning) of the Municipal Code to amend Table 21.16.200 to permit employee housing in Commercial, Industrial, Agricultural, and Parks and Open Space Districts as a Conditional Use (Code Amendment 02-011). (Subsequent to the September 17, 2002, City Council meeting, review of the Employee Housing Act indicates that compliance will involve a considerable amount of oversight by the “California Department of Housing and Community Development. Additional time is needed to assess the amount of involvement in, and consequences with, compliance of the Employee Housing Act.) FIRST READING WAS SEPTEMBER 17, 2002.  
 R. Lata, Community Development Director
  
8. Adopt Ordinance No. XXX N.S. amending Title 21 (Zoning) of the Municipal Code to amend Chapter 21.20 to re-establish regulations prohibiting use of travel trailers, recreational vehicles, and campers as residences in Residential Zoning Districts (Code Amendment 02-012). FIRST READING WAS SEPTEMBER 17, 2002.  
 R. Lata, Community Development Director
  
9. Adopt Ordinance No. XXX N.S. amending Title 21 (Zoning) of the Municipal Code conditionally permitting churches, meeting halls, and Sunday schools in the Planned Industrial Zone (Code Amendment 02-009). FIRST READING WAS SEPTEMBER 17, 2002.  
 R. Lata, Community Development Director
  
10. Adopt Ordinance No. XXX N.S. amending Section 14.04.020 of the Municipal Code to adjust sewer and water user fees. (This section of the Municipal Code covers both sewer and water user fees. This ordinance, however, is to adjust sewer fees only.) FIRST READING WAS SEPTEMBER 17, 2002.  
 M. Compton, Administrative Services Director
  
11. Adopt Ordinance No. XXX N.S. authorizing the installment purchase of certain sewer improvements from the El Paso de Robles Public Financing Authority, authorizing and directing execution of an Acquisition Agreement and an Installment Sale Agreement, approving the sale of 2002 Installment Sale Revenue Bonds (Sewer Enterprise Project) by the Authority and authorizing official actions. FIRST READING WAS SEPTEMBER 17, 2002.  
 M. Compton, Administrative Services Director
  
12. Adopt Resolution No. 02-xx declaring certain City property as surplus and authorize their sale by public auction. (Council has authorized the distribution of bids for the annual replacement of various City vehicles and equipment. Disposal of said equipment cannot take place until formally declared surplus.)  
 M. Compton, Administrative Services Director

13. Adopt Resolution No. 02-xx approving budget appropriations for fiscal year 2002 carryover requests. (Encumbrances represent carryover requests for unspent budget appropriations for the fiscal year just closed. It has been the policy and past practice of the City that encumbrances are limited to capital outlay, capital improvements, special consultant services, and other non-routine, one-time budget appropriations that are unspent at year end.)  
M. Compton, Administrative Services Director
14. Approve revised by-laws reducing the number of appointees (members) to the Transit Advisory Committee (TAC) to five. (The current by-laws provide for a seven-member committee. It is becoming increasingly difficult to recruit applicants when vacancies occur. Reducing the number of members will mitigate this problem and make it easier for the TAC to have a quorum.)  
M. Compton, Administrative Services Director
15. Adopt Resolution No. 02-xx annexing Parcel Map PR 01-263 as part of Subarea 71 in the Paso Robles Landscape and Lighting District No. 1. (Property is located on Sherwood Road between Commerce Way and Fontana Road. Council accepted the Final Parcel Map at its meeting of August 6, 2002.)  
R. Lata, Community Development Director
16. Adopt Resolution No. 02-xx awarding a security services contract for off-hours security services for Barney Schwartz Park (BSP) to In-House Security beginning immediately and continuing through June 30, 2003. (Bids were solicited for off-hours security services at BSP and opened on September 9, 2002. Two companies, In-House Security and Five Cities Security, submitted an identical low bid of \$39,260. Since one bidder is from Paso Robles, and the City Council may select either low bidder, it would appear consistent with policy and state law to select In-House Security from Paso Robles to provide security services for Barney Schwartz Park.)  
J. Deakin, Public Works Director

**ROLL CALL VOTE**

**PUBLIC DISCUSSION**

17. **San Luis Obispo Council of Government's Countywide Draft Regional Housing Needs Plan**  
R. Lata, Community Development Director

Consider (1) establishing a position on the State Department of Housing, and Community Development's growth projections for the County of San Luis Obispo and on the San Luis Obispo Council of Governments (SLOCOG's) subsequent apportionment of the growth to each of its member agencies; and (2) authorizing release of a draft letter to SLOCOG providing comments on the Countywide Draft Regional Housing Needs Plan (RHNP). (The City's Economic Strategy has been to meet the General Plan goal of providing a diverse housing stock for residents at all income levels. SLOCOG's RHNP appears to be a reasonable approach to complying with state law. At its September 17, 2002, meeting, it was Council's consensus to encourage SLOCOG to modify its distribution model by using household growth as the method of apportionment; to urge SLOCOG to develop incentives for those communities that address their allocations; to state the City's opposition to the State's intrusion in local land use decisions; and to reluctantly, under protest, endorse SLOCOG's RHNP.)

**OPTIONS:**

- a. Review the draft response letter to SLOCOG on the Countywide Draft RHNP and authorize its release.
- b. Suggest revisions to be incorporated into the City’s draft response letter.
- c. Request additional information and analysis.
- d. Amend, modify or reject the above options.

**ROLL CALL VOTE**

**18. Rambouillet/Nicklaus Traffic Calming Corridor Study**

J. Deakin, Public Works Director

Consider implementing a Rambouillet Road/Nicklaus Drive Traffic Calming Study. (In March 2002, Omni-Means presented its traffic calming study of the Rambouillet Corridor to the Streets and Utilities Committee. The cost to implement the Consultant’s recommendations is \$14,000 to \$20,000.)

**OPTIONS:**

- a. Direct staff to consider this appropriation in the fiscal year 2003/2004 budget.
- b. Adopt Resolution No. 02-xx approving a one-time appropriation of \$20,000 from General Fund Reserves to Budget Account No. 200-310-5235-162.
- c. Amend, modify or reject the above options.

**ROLL CALL VOTE**

**19. Community Development Block Grant (CDBG)-funded LED-lighted Crosswalks**

R. Lata, Community Development Director

Consider which intersection is to be provided with a LED-lighted crosswalk with Federal Community Development Block Grant funds. (On March 5, 2002, Council allocated \$24,000 from 2002 CDBG funds to install LED-lighted crosswalks in one intersection. The Police Department has identified three intersections as having the most need to enhance the safety of pedestrian students.)

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**OPTIONS:**

Direct staff to seek bids to install an LED-lighted crosswalk at one of the following intersections:

- a. 24<sup>th</sup> and Oak Streets, serving Flamson Middle School
- b. Spring and 17<sup>th</sup> Streets, serving Bauer-Speck Elementary Schools
- c. Spring and 36<sup>th</sup> Streets, serving Georgia Brown Elementary School
- d. Amend, modify or reject the above options.

**ROLL CALL VOTE**

**20. Retain Fire Engine Slated for Surplus**

K. Johnson, Chief of Emergency Services

Consider retaining one fire engine, scheduled for replacement, to serve as a reserve apparatus. (The City is scheduled to take possession of two new fire engines in mid-October. Fire Engine 8191 is one of the engines being replaced as a first-out unit; however, the unit can still have a useful life as a backup unit when one of the new engines is scheduled for maintenance, when an engine is needed for subsequent emergency calls, or in the event of a major incident.)

**OPTIONS:**

- a. Adopt Resolution No. 02-xx approving an increase of one fire engine to the City's fleet by designating Engine 8191 (City Unit 214) as a reserve fire engine.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**21. Reserve Police Officer Monthly Stipend**

D. Cassidy, Chief of Police

Consider increasing Reserve Police Officer monthly stipend. (The current stipend has not been increased since fiscal year 1999/2000. Effective July 1, 1999, the California Police Officer Standards of Training [POST] began requiring a more extensive training program for reserve police officers. This change now requires Level I reserve police officers to attend the same POST basic police academy that regular police officers attend. By increasing the current stipend, it will assist current reserve officers/dispatchers in maintaining their personal equipment, and aid in attracting qualified candidates to fill vacant reserve positions.)

**OPTIONS:**

- a. Authorize increasing the current \$200 per month stipend to reserve police officers and dispatchers to \$250 per month during fiscal year 2002/2003, and to further increase this stipend from \$250 per month to \$300 per month starting fiscal year 2003/2004.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**22. Phase II Storm Water Management Plan**

J. Deakin, Public Works Director

Consider preparation of a Storm Water Management Plan. (In 1999, the United States Environmental Protection Agency [U.S. EPA] promulgated regulations, known as Phase II, requiring permits for storm water discharges from small municipalities and from construction sites disturbing between one and five acres of land. The U.S. EPA published the final rule with regards to the National Pollutant Discharge Elimination System, and the City of Paso Robles is required to submit a Notice of Intent to comply with the EPA ruling, along with the preparation of a Storm Water Management Program. Both must be completed and submitted to the Regional Water Quality Control Board by March 10, 2003.)

**OPTIONS:**

a. Adopt Resolution No. 02-xx:

- (1) Approving a one-time appropriation of \$45,000 to Budget Account No. 217-310-5224-348 from the Storm Drainage Development Impact Fees; and
- (2) Authorize staff to execute an Agreement with URS Corporation of Santa Barbara to prepare a Notice of Intent and a Storm Water Management Program for a fee of \$39,800.

b. Amend, modify or reject the above options.

**ROLL CALL VOTE**

**CITY MANAGER**

**23. Tourism Promotion Service Agreement**

J. App, City Manager

Consider an agreement with the Paso Robles Visitors & Conference Bureau (VCB) for tourism promotion services. (The Economic Development Strategy includes a goal to “develop Paso Robles into an ‘end-destination’ tourist attraction.” One of the Strategy’s key implementation measures to achieve that objective is to focus on tourism promotion.)

**OPTIONS:**

- a. Adopt Resolution No. 02-xx authorizing the Mayor to execute a tourism promotion agreement with Chamber of Commerce, Inc. and appropriating \$19,000 from General Fund reserves for fiscal year 2003.
- b. Amend, modify or reject the Agreement.

**ROLL CALL VOTE**

**CORRESPONDENCE – None**

**ADVISORY BODY COMMUNICATION - None**

**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, 2<sup>nd</sup> Floor

**a. Property Acquisition\***

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 101 Creston Road, Paso Robles (APN 009-401-018)

Owner/Negotiator: Walter N. and Donna L. Heer

Provide City Negotiator with authority regarding purchase, price, and terms of payment

**b. Property Acquisition\***

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 1401 N. River Road, Paso Robles (APN 025-501-014)

Owner/Negotiator: B. W. The Plumbing Company (Bruce White)

Provide City Negotiator with authority regarding purchase, price, and terms of payment

\*RE 13<sup>TH</sup> STREET BRIDGE WIDENING PROJECT

**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 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, OCTOBER 2 – 5, 2002, AT THE LONG BEACH CONVENTION CENTER, 300 E. OCEAN BLVD.; TO THE AIRPORT ADVISORY INTERVIEWS/APPOINTMENTS AT 7:00 PM ON WEDNESDAY, OCTOBER 9, 2002, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

➤ **FUTURE MEETINGS**

- COUNCIL CANDIDATE FORUM, 7:00 PM ON **THURSDAY, OCTOBER 10, 2002**, AT LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- REGULAR CITY COUNCIL MEETING, 7:30 PM ON **TUESDAY, OCTOBER 15, 2002**, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR COUNCIL MEETING IS OCTOBER 4, 2002***