

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.

AMERICANS WITH DISABILITIES ACT Individuals who, because of a disability, need special assistance to attend or participate in this meeting, may request assistance by contacting the City Clerk's Office (805) 237-3960. Whenever possible, requests should be made 4 working days in advance.

CITY COUNCIL AGENDA

Tuesday, April 1, 2003 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. [2003 Community Development Block Grant Program](#)

R. Lata, Community Development Director

The City will be receiving additional funds for activities in 2003 as the US Department of Housing and Urban Development [HUD] has amended its formula for distributing Community Development Block Grant (CDBG) funds to reflect 2000 US Census figures. Identify which activities are to be approved for the additional 2003 CDBG funds.

OPTIONS:

- a.** Adopt the Resolution 03-xx to allocate the City's additional allotment of \$63,651 in 2003 CDBG funds as follows:

Muni Pool Changing Room Rehab (existing CDBG project).....	\$50,951
Administration (includes Capacity Building)	<u>\$12,700</u>
Total.....	<u>\$63,651</u>

- b.** Adopt Resolution 03-XX to allocate the City's additional allotment of \$63,651 in 2003 CDBG funds as follows:

Muni Pool Changing Room Rehab (existing CDBG project).....	\$41,401
EOC Senior Health Program	\$ 1,000
Boys & Girls Club operations	\$ 1,300
Literacy Council Program	\$ 500
Big Brothers/Big Sisters Mentoring	\$ 1,250
Lifestyles Recovery Center	\$ 1,300
Homeless Housing Project Motel Voucher Program.....	\$ 4,200
Administration (includes Capacity Building)	<u>\$12,700</u>
Total.....	<u>\$63,651</u>

- c.** Amend, modify or reject the above options.

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 2–12 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

2. [Approve City Council minutes of March 4 and 18, 2003](#)

D. Fansler, City Clerk

3. [Receive and file Advisory Body Committee minutes as follows:](#)

[Airport Advisory Committee meeting of January 23, 2003](#)

[Parks & Recreation Advisory meeting of February 11, 2003](#)
[Library Board of Trustees meeting of January 9 and February 13, 2003](#)
[Senior Citizen Advisory Committee meeting of February 10, 2003](#)
[Transit Advisory Committee meeting of January 8, 2003](#)

4. [Approve Warrant Registers: Nos. 39244 – 39391 \(3/14/03\) to 39392 – 39549 \(3/21/03\)](#)
M. Compton, Administrative Services Director
5. [Proclamation – National Public Safety Telecommunicator's Week, April 13–19, 2003](#)
6. [Proclamation –Month of the Child – April 2003](#)
7. [Read, by title only, and adopt Ordinance No. xxx N.S. amending the Municipal Code to amend Title 21, Zoning, to permit employee housing as a conditional use in Residential, Commercial, Industrial, Agricultural, and Parks and Open Space Districts \(Code Amendment 02–011\).](#) (At its meeting of March 18th, Council approved this ordinance except in Airport Zones 1 through 5, where this amendment will not apply, provided that employee housing shall be appurtenant to an approved commercial or industrial development; and subject to a provision that the ordinance shall sunset [expire] in 5 years.) FIRST READING MARCH 18, 2003
R. Lata, Community Development Director
8. [Extend duration of the ad hoc committee formed to review indemnification clauses in City contracts to June 17, 2003.](#)
J. Seitz, Deputy City Attorney
9. [Extend duration of the ad hoc committee formed to evaluate design options for Niblick Road improvements to October 7, 2003.](#) (Additional time is needed to develop the plan for Niblick Road, which includes meeting to discuss these improvements with the School District.)
J. Deakin, Public Works Director
10. [Adopt Resolution No. 03-xx awarding contract for construction of alley rehabilitation \(CDBG–funded\) to low bidder Ferravanti Grading and Paving of Paso Robles \(DPW Project 02–21\).](#) (Alley is bounded by Spring, Park, 7th Street and 8th Street. In response to advertised Request for Proposals, 12 bids were received. Ferravanti Grading submitted the lowest responsive and responsible bid for \$31,550.)
R. Lata, Community Development Director
11. [Adopt Resolution No. 03-xx a Cooperative Agreement with the National Park Service \(NPS\) regarding designation of the de Anza Trail.](#) (Designation of this trail would promote national and local historic preservation goals. Entering into a Cooperative Agreement does not commit the City to any financial obligations, but would authorize the City to work with the NPS.)
R. Lata, Community Development Director
12. [Adopt Resolution No. 03-xx approving assignment of a long–term property lease of Parcel 38 and a portion of Parcel 39 \(a.k.a., Second Wind\) in the Airport Industrial Park.](#) (This lease allows the lease assignment to John R. and Koene R. Graves, Trustees for the Living Trust of John R. Graves and Koene R. Graves. Lessees agree that uses on the leased premises shall be limited to those specified in the lease and any modifications to the site will comply with current City Development procedures.)
J. Deakin, Public Works Director

ROLL CALL VOTE

PUBLIC DISCUSSION

13. [Airport Road Alignment Study](#)

R. Lata, Community Development Director

Consider distribution of a Request for Proposals (RFP) for a qualified engineer to prepare an alignment study for Airport Road in the vicinity of Highway 46 East. (The location and manner in which Airport Road will intersect with Highway 46 East is uncertain and has impacts on a number of projects, both north and south of Highway 46 East. With the distribution of an RFP, the long process of determining the future location of the intersection and seeking Caltrans approval for the necessary improvements can begin.)

OPTIONS:

- a. Authorize staff to distribute an RFP to hire a qualified engineer to prepare a preliminary design for the intersection of Airport Road and Highway 46 East, including a bridge over the Huer Huero Creek and obtaining Caltrans approval for a signalized intersection as an interim improvement at that location. The scope of work would include a methodology for allocating the costs of the study to benefiting property owners.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

14. [Initiate Proceedings for Annual Levy of Landscape & Lighting District Fiscal Year 2003-2004](#)

J. Deakin, Public Works Director

Consider initiating proceedings for annual levy of the Landscape & Lighting District for fiscal year 2003-2004. (A Landscape and Lighting District was formed in 1989 for the maintenance of streetlights, hardscapes, detention basins, parkways, median islands, open space, slopes, and other appurtenant facilities and operations relating to the District. The annual levy is a two-step process. The first step is for Council to adopt resolutions to initiate the proceedings by scheduling a Public Hearing. Final step takes place at the Public Hearing, wherein the City Council would adopt a resolution to approve the final levy report.)

OPTIONS:

- a. Adopt Resolution No. 03-xx
 - (1) Initiating proceedings for the annual levy for the maintenance of District facilities; and
 - (2) Declaring the intent to levy and cause a Notice to be published for a Public Hearing to be scheduled on June 17, 2003; and
 - (3) Adopting the Draft Preliminary Engineer's Levy Report as presented and making it available to the public for review and comment.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

15. [City Banner Policy Review](#)
B. Partridge, Library & Recreation Services Director

Review of ad hoc committee recommended changes to the City's banner policy. (The ad hoc committee recommends changing the definition of "event" to eliminate the requirement for a City permit. This change would allow applicants for a banner, as long as the event was held on public property, not just City property.)

OPTIONS:

- a. Approve the recommended change to the definition of "event" in the Banner Policy.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

16. [Award Contract to Rehabilitate Butterfield Well No. 12 and Tarr Well No. 19](#)
J. Deakin, Public Works Director

Consider a one-time appropriation of \$53,000 and award a contract to rehabilitate two wells. (Butterfield Well No. 12 was last rehabilitated in 1989 and the pump at Tarr Well No. 19 needs to be lowered to 560 feet. These wells produce water in peak demand periods and are integral to the City's water resource network.)

OPTIONS:

- a. Adopt Resolution No. 03-xx
 - (1) Authorizing a one-time appropriation from Water Enterprise Fund Reserves to
 - (a) Budget Account No. 600-910-5452-351 in the amount of \$25,000 for rehabilitation of Butterfield Well No. 12; and
 - (b) Budget Account No. 600-910-5452-352 in the amount of \$28,000 for the rehabilitation of Tarr Well No. 19.
 - (2) Authorizing award of contract to Maggiora Bros. Drilling, Inc. in the amount of \$48,600 for rehabilitation of Butterfield Well No. 12 and Tarr Well No. 19.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER – None

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 Legal Counsel – Anticipated Litigation

Subdivision (b) of Government Code Section 54956.9

Initiation of Litigation

Number of cases: One

ADJOURNMENT: to THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, APRIL 15, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR
COUNCIL MEETING IS APRIL 4, 2003***