

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, May 20, 2003 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)

Staff to advise Council of any item on the agenda that is to be deferred or tabled.

**PRESENTATIONS** - None

## NOTICED HEARINGS

1. [Street Abandonment 02-003 \(Dry Creek Partners, LLC\)](#)

R. Lata, Community Development Director

Consider a request from Dry Creek Partners, LLC to abandon a variable width portion of Vine Street. (The property, which is south of 1<sup>st</sup> Street, is requested for abandonment to accommodate the applicant's proposed development. The Planning Commission has recommended approval of the abandonment.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx to abandon an unimproved portion of Vine Street right-of-way and retain an easement for water, sanitary sewer, storm drains, and public services as shown on the Exhibits "A" and "B" as requested by the adjacent property owners.
- b. Amend, modify, or reject the above option.

## ROLL CALL

## 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 April 29 and May 6, 2003](#)

D. Fansler, City Clerk

3. [Approve Warrant Registers: Nos. 40221 – 40334 \(5/2/03\) and 40335 – 40496 \(5/9/3\)](#)

M. Compton, Administrative Services Director

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

Youth Commission meeting of [March 5](#) and [April 2, 2003](#)

5. [Read, by title only, and adopt Ordinance No. xxx N.S. amending the Municipal Code to amend the Borkey Area Specific Plan to accommodate Planned Development 02-006 and Tract 2457 \(Applicant: Mr. Dick Willhoit of Estrella Associates\) – Specific Plan Amendment 03-001.](#) (At its meeting of May 6, Council approved this ordinance, which incorporates Specific Plan Amendment 03-001 into the Borkey Area Specific Plan to: [a] eliminate the requirements and standards for the Salinas River Landscaped Greenbelt/Pedestrian Corridor ["trail"] on Open Space Lot 212 of Tract 2457 along the bluffs (thereby providing for Lot 212 to

remain in private ownership, for Lot 212 to be the maintenance responsibility of others, not the City, and for the City to avoid the possibility of future involvement in any potential concerns, claims, or lawsuits that may be filed with respect to trail design, trail maintenance, handicap accessibility, lighting, and safety/security fencing); [b] require enhanced landscaping on Lot 212 of Tract 2457 to buffer development of the homes along the bluff from public view, subject to Development Committee review and approval prior to installation; and [c] authorize a 20-foot rear yard setback for those residential lots within Tract 2457 that abut River Oaks Drive 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 MAY 6, 2003

R. Lata, Community Development Director

6. [Read, by title only, and adopt Ordinance No. xxx N.S. amending the Municipal Code to add Section 21.21.140 amending Table 12.16.200 relating to family day care homes](#) (At its meeting of May 6<sup>th</sup>, Council approved this ordinance modifying the City's family day care regulations for conformance with state law. The City may no longer require a Conditional Use Permit for a Family Day Care Home with less than 14 children.) FIRST READING MAY 6, 2003  
R. Lata, Community Development Director
7. [Read, by title only, and adopt Ordinance No. xxx N.S. amending the Municipal Code to amend the Zoning Map established by reference in Section 21.12.020 of the Zoning Code \(Title 21\) – Rezone 003-001 – Langstaff](#) (At its meeting of May 6<sup>th</sup>, Council approved this ordinance in conjunction with General Plan Amendment 003-001 [Part 2] to establish an Office Professional Zoning Overlay on existing Residential Low Density property bounded by Oak Street, 9<sup>th</sup> Street, the adjacent alley, and 8<sup>th</sup> Street. Applicants: Ryan and Jennifer Langstaff.) FIRST READING MAY 6, 2003  
R. Lata, Community Development Director
8. [Proclamation – Special Olympics Law Enforcement Torch Run Day – June 2 & 3 2003](#)  
F. Mecham, Mayor
9. [Adopt Resolution No. 03-xx declaring certain City property as surplus and approving the method of disposal.](#) (The City's adopted equipment replacement program provides for replacing computers on a pre-determined schedule. The age and configuration of the computer and office equipment prevents its re-installation or use at alternate City sites as it is no longer compatible with current technology.)  
M. Compton, Administrative Services Director
10. [Adopt Resolution No. 03-xx awarding a contract to low bidder MGE Underground in the amount of \\$527,695 for rehabilitation/repair of various sewer mains.](#) (Over 11,000 feet of pipe in the City need to be lined and/or repaired. A majority of the pipes are located in the older, west side of the City. Competitive bids were solicited and bid specifications were provided to 12 Plan Rooms. Five bids were received at the Bid Opening on May 8, 2003, ranging from \$527,695 to \$736,776.)  
J. Deakin, Public Works Director
11. [Adopt Resolution No. 03-xx \(1\) appropriating \\$23,500, and \(2\) approving a Change Order to the contract with Maggiora Bros. Drilling, Inc. in the amount of \\$23,268.76.](#) (A contract to Maggiora Bros. Drilling, Inc. was awarded in April 2003 to rehabilitate Well No. 12 and Well No. 19. It was contemplated that the work required removing the existing impeller assembly, hydro-washing the existing assembly and then re-installing. Upon removal of the assembly, inspections indicate that it has deteriorated to the point where replacement is the only option.)  
J. Deakin, Public Works Director

12. [Adopt Resolution No. 03-xx accepting the recordation of Parcel Map PR 01-266; and Resolution No. 03-xx annexing Parcel Map PR 01-266 into the Landscape and Lighting District \(L&LD\).](#) (Property is a 3-lot residential subdivision located on the east side of Golden Hill Road, north of Rolling Hills Road, and south of Gilead Lane. Applicant Ella Porter has signed a petition and voted in favor of annexation into the L&LD.)  
R. Lata, Community Development Director

**ROLL CALL VOTE**

**PUBLIC DISCUSSION**

13. [Offer of Dedication \(River Parcel, Tract 2457, Oak Knoll Ranch, LLC\) and Accepting and Approving an Agreement to Grant Easements to Oak Knoll Ranch, LLC for Well and Water Line](#)  
R. Lata, Community Development Director/ J. Deakin, Public Works Director

Consider authorizing the recordation of an Irrevocable and Perpetual Offer to Dedicate a parcel of land in and adjacent to the Salinas River, and approve an agreement to accept a quitclaim to the City for any interest in said parcel by Oak Knoll Ranch, LLC and consider grant of easements to Oak Knoll Ranch, LLC for an existing well and water line. (This Offer will correct a “cloud” of title to the property, which was referenced in Resolution No. 98-88 and subsequently recorded with the Offer to Dedicate attached; satisfy Condition No. 31 of the tentative approval of Tract 2457; and will allow Oak Knoll Ranch, LLC the right to use the well and water line located in the area of the Offer to Dedicate.)

**OPTIONS:**

- a. Select and adopt one of the following resolutions, which reflect each of the issues:
- i. Adopt Resolution No. 03-xx accepting and authorizing recordation of the Irrevocable and Perpetual Offer to Dedicate provided by Oak Knoll Ranch, LLC and approve the Agreement to accept a quitclaim deed relieving Oak Knoll Ranch, LLC of any interest in said Offer and to grant appurtenant well and water line easements for the benefit of Oak Knoll Ranch, LLC.
  - ii. Adopt Resolution No. 03-xx accepting and authorizing recordation of the Irrevocable and Perpetual Offer to Dedicate provided by Oak Knoll Ranch, LLC and modify the Agreement to accept a quitclaim deed relieving Oak Knoll Ranch, LLC of any interest in said Offer and to grant appurtenant well and water line easements for the benefit of Oak Knoll Ranch, LLC with language added to the Agreement that Oak Knoll Ranch, LLC or successors in interest, connect to City-provided reclaimed water at such time said reclaimed water is available.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

14. [Acceptance of Tract 2457 \(Oak Knoll Ranch, LLC\) for Recordation, and Annexation into the Landscape and Lighting Maintenance District](#)

R. Lata, Community Development Director/ J. Deakin, Public Works Director

Consider taking action towards finalizing development plans for a residential subdivision. (Tract 2457 is a 10-lot subdivision of an 86-acre site, located on Clubhouse Drive, north of River Oaks Drive and west of Buena Vista Drive. Applicants [Oak Knoll Ranch, LLC] have signed a petition and voted in favor of annexation into the Landscape and Lighting District.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx accepting the recordation of Tract 2457, a 10-lot subdivision located on Clubhouse Drive, north of River Oaks Drive, and west of Buena Vista Drive; and
- b. Adopt Resolution No. 03-xx annexing Tract 2457 into the Landscape and Lighting District No. 1.
- c. Amend, modify or reject the above options.

**ROLL CALL VOTE**

15. [Acceptance of Tract 2457-2 \(Oak Knoll Ranch, LLC\) for Recordation, Execution of Subdivision Improvement Agreement, and Annexation into the Landscape and Lighting Maintenance District](#)

R. Lata, Community Development Director

Consider approving steps required for finalizing development plans for a residential subdivision. (Tract is a 79-lot subdivision of a 16.14-acre site, located on Clubhouse Drive, north of River Oaks Drive. As the public improvements have not been completed, a Subdivision Improvement Agreement guaranteeing the construction of the improvements within a one-year period would be signed. Payment and Performance Bonds are to be submitted and placed on file in the office of the City Engineer.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx:
  - (1) Accepting the recordation of Tract 2457-2, a 79-lot subdivision located on Clubhouse Drive, north of River Oaks Drive; and
  - (2) Approving the Subdivision Improvement Agreement for Tract 2457-2, authorizing deferred construction of the subdivision improvements, with an established deadlines of May 20, 2004, to complete these improvements, and authorizing the Mayor to execute the Agreement; and
- b. Adopt Resolution No. 03-xx annexing Tract 2457-2 into the Landscape and Lighting District.
- c. Amend, modify or reject the above options.

**ROLL CALL VOTE**

16. [Street Abandonment 03-001 \(Estrella Associates\)](#)

R. Lata, Community Development Director

Consider adopting a Resolution of Intent to abandon a 50-foot wide improved cul-de-sac street. (Applicant: Dick Willhoit. The purpose of request is to accommodate the applicant's desire to establish a small, private community along Waterford Court, a street that has been constructed to City standards. Request is consistent with Streets and Highway Code and City's General Plan and the Planning Commission recommended approval of the abandonment at their May 13<sup>th</sup> meeting.)

**OPTIONS:**

- a. Adopt Resolution of Intent No. 03-xx abandoning an improved street as shown on the Exhibit A and setting June 17, 2003, in the Paso Robles City Hall, 1000 Spring Street, for public hearing for all persons interested or having objection to the proposed closing.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

17. [Water Well Exception Request \(Pemberton\)](#)

J. Deakin, Public Works Director

Consider a request by Margaret Pemberton to retain a private well on property already served by City water. (Property is a 2.7-acre parcel at 1650 Kleck Road. In September 2000, the Council approved the first request for this property to retain an agricultural irrigation well. The City's current practice discourages continued reliance on private wells for properties served with City potable water and recent requests for continued private well usage have been denied.)

**OPTIONS:**

- a. Deny the request to maintain the private well within the City limits.
- b. Approve the request to maintain the well on the condition that it must be used for agricultural purposes only.
- c. Amend, modify or reject the above option.

**ROLL CALL VOTE**

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18. [Downtown Diagonal Parking](#)

J. Deakin, Public Works Director

Consider modifying the diagonal parking project approved March 18, 2003. (On March 18<sup>th</sup>, Council approved the installation of additional diagonal parking in the downtown core. Due to the concerns of some residents opposing diagonal parking in their neighborhood, the Streets and Utilities Committee developed a recommended modification to the project.)

**OPTIONS:**

- a. Direct staff to modify the diagonal parking plan and proceed with installation.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

19. [Customer Parking Only \(Downtown\)](#)

J. Deakin, Public Works Director

Consider a request submitted by Main Street to paint "Customer Parking Only" on selected curbs downtown. (In line with a short-term option from Kimley-Horn and Associates for increasing parking spaces in the downtown area, Main Street has offered a plan to fund initial "Customer Only" painting of the curbs, as well as the required annual maintenance.)

**OPTIONS:**

- a. Approve the Main Street request to paint "customer Parking Only" on selected curbs downtown.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

20. [Parking Restrictions at the 3300 Block of Spring Street](#)

J. Deakin, Public Works Director

Consider restricting parking on the east curb of Spring Street at the northernmost end of the 3300 block. (Traffic on 34<sup>th</sup> Street at Spring Street is controlled by stop signs. There is also a painted crosswalk and "School Crossing" signs. Vehicles parking on the east curb of Spring, south of 34<sup>th</sup> Street, restrict the view of cross-traffic and the view of pedestrians crossing in the painted crosswalk is restricted. The Streets and Utilities Committee recommends that Council consider restricting parking to increase the safety of pedestrians and drivers.)

**OPTIONS:**

- a. Restrict parking on the east curb of Spring Street at the northernmost end of the 3300 block (approximately 30 feet).
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

21. [Centennial Park Upgrades/Rehabilitation](#)

J. Deakin, Public Works Director

Presentation by BFGC Architects for the upgrade/rehabilitation of Centennial Park. Consider approving a concept for final design. (In June 2002, the Council accepted a \$500,000 Roberti Z'berg grant and appropriated \$214,000 in City matching funds. In February 2003, Council authorized engaging the services of BFGC Architects to assist staff in preparing the Plans, Specifications and Estimates for the project. By May 20<sup>th</sup>, the concept plans will have been presented to the Youth Commission, Planning Commission, Parks and Recreation Advisory Committee and REC, Inc. and their recommendations will be presented to Council in staff's verbal report.)

**OPTIONS:**

- a. Direct staff to prepare final plans and specifications for the project, incorporating the "Internet Café" design for the Youth Center Teen Room.
- b. Direct staff to prepare final plans and specifications for the project, incorporating the "50's Rock Café" for the Youth Center Teen Room.
- c. Amend, modify or reject the above option.

**ROLL CALL VOTE**

22. [Council Advisory Body, Board & Commission Bylaws: Membership Residency Requirement](#)

J. App, City Manager

Consider City residency as a condition of membership in a City Advisory Body, Board or Commission. (As standardized bylaws were being developed for all advisory bodies, discussion focused upon inclusion not only of those who reside in town, but those who own businesses and/or are appointed as representatives of non-profit associations headquartered in town. The definition of residence was broadened to include such business and association interests. As a result of the broad residency definition, many who do not reside in town would be eligible to formally participate in City affairs.)

**OPTIONS:**

- a. Approve revised residency requirements as presented in Exhibits C & D.
- b. Approve/retain residency requirements as presented in Exhibits A & B.
- c. Amend, modify or reject the above options.

**ROLL CALL VOTE**

**CITY MANAGER**

**23. [Proposed Legislation: California Assembly Bill 1221 "California Balanced Communities Act of 2003"](#)**

J. App, City Manager

Consider formal comment upon the Legislature's proposed "California Balanced Communities Act of 2003." (Bill 1221 was introduced by the California Assembly to restructure local government finance by exchanging a portion of City sales tax for an equal amount of property tax. As proposed, one half of the City's 1% sales tax would be retained by the State in exchange for an equal amount of property taxes above what is currently received. The Bill is opposed by the California League of Cities, but supported "in concept" by the California State Association of Counties.)

**OPTIONS:**

- a. Direct issuance of a letter articulating the Council's posture regarding AB 1221.
- b. Defer action pending receipt of further information.
- c. Amend, modify or reject the above options.

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

**a. Pursuant to Government Code Section 54956.8 – Property Lease**

Property: 623 13<sup>th</sup> Street (Fire Station No. 1)  
Property Owner: City of Paso Robles  
Parties: Negotiator/Lessee: Children’s Museum Board of Trustees  
City Negotiator: James App, City Manager  
Under Negotiation: Terms & Conditions

**ADJOURNMENT:** to THE BUDGET WORKSHOP AT 7:00 PM ON WEDNESDAY, MAY 21, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, JUNE 3, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR COUNCIL MEETING IS MAY 23 2003***