

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, September 16, 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)

Agenda Items No. 1, 2 and 3; staff to advise Council of any additional items on the agenda that are to be deferred or tabled.

**PRESENTATIONS** - None

## PUBLIC HEARINGS

1. [Continue Hearing – Specific Plan Amendment 03-004 \(Borkey Area Specific Plan Fee Update for Sub-area “B”\)](#)  
R. Lata, Community Development Director

Consider continuing the public hearing for Specific Plan Amendment 03-004 proposing a Fee Update for Sub-area “B” of the Borkey Area Specific Plan. (This sub-area includes properties located generally west of Buena Vista Drive, north of Experimental Station Road, and east of North River Road. Additional time is needed to evaluate and refine the proposed Amendment and to meet with the applicants.) CONTINUED FROM SEPTEMBER 2, 2003

### OPTIONS:

- a. Accept public testimony and continue the already open public hearing to the Council's regular meeting of October 7, 2003.
- b. Amend, modify, or reject the above option.

### ROLL CALL VOTE

2. [Continue Hearing - Rezone 03-002: Zone Change for 935 Creston Road \(Bernard\)](#)  
R. Lata, Community Development Director

Consider continuing the public hearing for Rezone 03-002 proposing a zone change of the approximate one-acre property located at 935 Creston Road to bring the zoning into conformity with its General Plan land use designation of RMF-L (Residential Multiple Family – Low, up to 8 units/acre). (Property is situated generally to the west of Orchard Drive. Applicant Nanci Bernard is seeking to change the present zoning of R1 [Single-family Residential] to R2 PD [Duplex/Triplex Planned Development].) CONTINUED FROM AUGUST 5 & SEPTEMBER 2, 2003

### OPTIONS:

- a. Accept public testimony and continue the already open public hearing to the Council's regular meeting of October 7, 2003.
- b. Amend, modify, or reject the above option.

### ROLL CALL VOTE

3. [Table Discussion - Union/46 Specific Plan Amendment 03-003 – Proposal to Eliminate Planned Connection of Street “A” to North River Road \(Arciero\)](#)

R. Lata, Community Development Director

Consider tabling consideration of applicant’s request to amend the Union/46 Specific Plan to eliminate the planned connection of “A” Street to North River Road until such time as the Planning Commission has issued its recommendation. (The Union/46 Specific Plan covers properties located south of Highway 46 East, west of Prospect Avenue, north of Union Road, and east of North River Road.)

**OPTIONS:**

- a. Postpone consideration of applicant’s request for the Union/46 Specific Plan to be amended to eliminate the planned connection of “A” Street to North River Road until such time as the Planning Commission has issued its recommendation.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

4. [Street Abandonment 03-002 \(Wyatt\) – Portion of 12th Street at Paso Robles Street](#)

R. Lata, Community Development Director

Consider abandoning an unimproved 80-foot wide portion of 12th Street right-of-way between Paso Robles Street and State Highway 101. (Applicant Gregg Wyatt is requesting abandonment to eliminate requirement for street improvements on this portion of 12th Street as conditioned by the Planning Commission in their approval of Conditional Use Permit 02-001 and to provide parking for his building on Paso Robles Street. The Planning Commission is recommending approval of the proposed street abandonment.)

**OPTIONS:**

- a. Adopt Resolution of Intent No. 03-xx to abandon a portion of 12th Street between Paso Robles Street and State Highway 101 as shown on Exhibit A; and setting October 21, 2003, in the Paso Robles City Hall, 1000 Spring Street, for the public hearing for all persons interested or having objection to the proposed closing.
- b. Amend, modify or reject the above option.

**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 5-15 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

5. [Approve City Council minutes of September 2, 2003.](#)

D. Fansler, City Clerk

6. [Approve Warrant Registers: Nos. 42535 – 42688 \(8/29/03\) and 42687 – 42800 \(9/5/03\)](#)  
M. Compton, Administrative Services Director
7. [Receive and file Advisory Body Committee minutes as follows:](#)  
Pioneer Museum Board meeting of July 10, 2003
8. [Proclamation – Paso Robles Vitners and Growers Association – 10-year Anniversary](#)  
F. Mecham, Mayor
9. [Adopt Resolution No. 03-xx authorizing City Manager to execute an agreement with low-bidder TPG Consulting to prepare construction plans, specifications, a cost estimate and “as-built” plans for the LED-Lighted Crosswalk System to be installed at the intersection of 24th and Oak Streets for a not-to-exceed cost of \\$6,100.](#) (Request for Proposals were sent to 11 engineering firms and 4 proposals were received. TPC’s proposal demonstrates that they have a complete understanding of the design project and satisfactory experience involving installation of lights for similar projects.)  
R. Lata, Community Development Director
10. [Adopt Resolution No. 03-xx awarding a contract to low-bidder R. Burke Corporation in the amount of \\$19,540 to install speed undulations at Rambouillet Road and Nicklaus Drive.](#) (Bids for this project were solicited and three bids were received at the Bid Opening August 29, 2003, ranging from a low bid of \$19,540 to a high bid of \$29,930. Staff reviewed the low bid submitted by R. Burke Corporation and finds it to be a responsive bid.)  
J. Deakin, Public Works Director
11. [Adopt Resolution No. 03-xx awarding a contract to low-bidder Brinar Construction in the amount of \\$33,000 to install seven handicap ramps in the Downtown Business District.](#) (Bids for this project were solicited and three bids were received at the Bid Opening August 29, 2003, ranging from a low bid of \$33,000 to a high bid of \$41,100. Staff reviewed the low bid submitted by Brinar Construction and finds it to be a responsive bid.)  
J. Deakin, Public Works Director
12. [Adopt Resolution No. 03-xx supporting a grant application of \\$27,725 for Airport Improvement Project funding from the California Department of Transportation \(CalTrans\).](#) (In December 2002, Council approved the 2003 Airport Capital Improvement Program [CIP] with the understanding that the projects would receive 90% Federal Aviation Administration [FAA] grant funding before being executed. The 90% funding has now been approved and CalTrans is offering the opportunity for an additional 5% grant funding.)  
J. Deakin, Public Works Director
13. [Adopt Resolution No. 03-xx \(1\) authorizing the City Manager to execute a wellhead design contract with Boyle Engineering; and \(2\) appropriating an additional \\$150,000 to Budget Account No. 220-910-5452-321 from the Water Enterprise Fund to complete the design and installation of well head equipment for the new well.](#) (Request for Proposals [RFP] were issued to design a wellhead for the newly drilled well at the Municipal Airport. The RFP was sent to 13 firms; 2 responded. As Boyle Engineering has been working with the City’s Water Distribution System, in addition to having the appropriate experience and technical ability to perform the work, they are able to provide a cost effective design service.)  
J. Deakin, Public Works Director

14. [Adopt Resolution No. 03-xx authorizing the City Manager to engage the services of Associated Transportation Engineers to prepare construction documents to re-stripe, reconfigure and rehabilitate Niblick Road from River Road to Creston Road for the amount of \\$82,200 and in accordance with the Scope of Work and Fee Proposal.](#) (The City delayed the re-striping of Niblick Road to four lanes when the School District expressed concerns for High School traffic areas and pedestrian safety. On July 28th, the Paso Robles Unified School District Board of Trustees sent notice to the City of their support for the project as outlined in the staff report.)  
J. Deakin, Public Works Director

15. [Adopt Resolution No. 03-xx authorizing the City Manager to enter an agreement with Cleath & Associates in the amount of \\$17,330 to assist staff in siting and locating a new water well.](#) (The Capital Improvement Plan adopted by Council included the need to install a new water well for fiscal year 2003/04. Proposals were solicited from three hydrogeologic firms. After review of all proposals, it is recommended that the City engage the services of Cleath & Associates.)  
J. Deakin, Public Works Director

#### **ROLL CALL VOTE**

#### **PUBLIC DISCUSSION**

16. [Oak Tree Removal](#)  
J. Deakin, Public Works Director

Consider removing a 34-inch Valley Oak tree on the west side of South River Road, between Creston Road and Niblick Road near the Navajo Drive intersection on City property. (The arborist report clearly states that this oak tree is dead, without any possibility of reclamation.)

#### **OPTIONS:**

- a. Authorize the issuance of a permit to remove the dead oak tree on the west side of South River Road near the intersection of Navajo Drive.
- b. Amend, modify or reject the above option.

#### **ROLL CALL VOTE**

17. [Development Impact Fees - Clarification](#)  
M. Compton, Administrative Services Director

Consider clarifying development impact fee implementation issues. (Council adopted new non-utility development impact fees in March 2003. An implementation issue not anticipated during initial consideration of the fees has been encountered by staff and requires clarification by Council.)

#### **OPTIONS:**

- a. Adopt Resolution No. 03-xx clarifying implementation issues relating to Bridge Certificates.
- b. Amend, modify or reject the above option.

#### **ROLL CALL VOTE**

18. [Contract Award to Rehabilitate the Barney Schwartz Park Irrigation Well](#)

J. Deakin, Public Works Director

Consider appropriating \$90,000 for conversion and rehabilitation of the Barney Schwartz Park (BSP) irrigation well to domestic use. (The Department of Health Services has approved amending the City's Drinking Water Permit to include the BSP well for domestic use. The conversion project will augment the City's water supply by approximately 950,000 gallons per day.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx authorizing a one-time appropriation of \$90,000 from Water Enterprise Fund reserves to Budget Account No. 600-910-5452-493 to convert the Barney Schwartz Park well for domestic use.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

19. [Self-Contained Breathing Apparatus Replacement](#)

K. Johnson, Chief of Emergency Services

Consider approving the purchase of replacement self-contained breathing apparatus (SCBA) units and providing budget appropriation. (A General Fund budget request was approved to begin replacing SCBA's over an extended period. The opportunity now exists to save on SCBA pricing by "piggybacking" with the City of Atascadero in a larger purchase, which would require an additional appropriation in the current fiscal year.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx approving the purchase of SCBA's and associated equipment and authorizing a one-time budget appropriation of \$15,800.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

20. [Short-Range Transit Plan — Status Report](#)

M. Compton, Administrative Services Director

Presentation of progress towards implementation of Short-Range Transit Plan (SRTP) recommendations. (The SRTP is a 5-year plan to guide public agencies with their transit operations and the use of Transportation Development Act [TDA] funds. When the SRTP was presented to Council in September 2001, several recommendations were made. This presentation outlines progress towards implementation of those recommendations.)

**OPTIONS:**

- a. Receive and file.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

**CITY MANAGER** - None

**CORRESPONDENCE** – None

**ADVISORY BODY COMMUNICATION** – None

**AD HOC COUNCIL BUSINESS**

**21.** [Budget Carryover Requests – Formation of Ad Hoc Committee](#)

M. Compton, Director of Administrative Services

Consider appointing an ad hoc committee to review annual budget carry-over requests. (Carry-over requests for unspent budget appropriations for the prior fiscal year require approval of the Council.)

**OPTIONS:**

- a. Appoint a two-member ad hoc committee to review the annual budget carry-over requests and report back to the full Council by October 14, 2002.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

**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. Conference with Real Property Negotiator – Property Acquisition**

Government Code Section 54956.8

Property: 1356 Railroad Street - southeast corner of 13<sup>th</sup> & Railroad  
(APN 009-048-001)

Parties: Owner/Negotiator Anthony Hunter  
City Negotiator: James L. App, City Manager

Under negotiation: Price and terms of payment

**b. Conference with Legal Counsel – Anticipated Litigation**

Subdivision (c) of Government Code Section 54956.9

Initiation of Litigation

Number of cases: One

**c. Conference with Labor Negotiator**

Government Code Section 54957

City Negotiator: James App, City Manager

Employee Organizations: Service Employees International Union (S.E.I.U.)

Police Officers Association (P.O.A.)

International Association of Firefighters (I.A.F.F.)

Unrepresented Management

**ADJOURNMENT:** to THE JOINT PLANNING COMMISSION & CITY COUNCIL PUBLIC WORKSHOP ON THE GENERAL PLAN ENVIRONMENTAL IMPACT REPORT AT 7:00 PM ON THURSDAY, SEPTEMBER 18, 2003; AND TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, OCTOBER 7, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR  
COUNCIL MEETING IS SEPTEMBER 26, 2003***