

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, October 7, 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**

7:00 PM – CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

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

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)

PRESENTATIONS - None

PUBLIC HEARINGS

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

Consider revising Development Impact Fees for Subarea "B" of the Borkey Area Specific Plan to establish fees for the commercial components of the approved River Oaks and "The MarketPlace" Planned Developments. (Subarea "B" contains a total of 198 acres, including properties located generally north of Experimental Station Road, east of North River Road, south of the Paso Robles Hot Springs Resort, and west of Buena Vista Drive. The River Oaks Planned Development [PD] includes a 6-hole golf course and a clubhouse with a pro-shop. The MarketPlace PD includes a service station, commercial/office, and a gourmet market. The proposed revisions would ensure that the costs are properly apportioned amongst the properties that benefit from or are served by the public improvements and infrastructure.) CONTINUED FROM SEPTEMBER 16, 2003

OPTIONS:

- a. Adopt Resolution No. 03-xx establishing a Revised Schedule of Fees for Subarea "B" of the Borkey Area Specific Plan.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

2. [Rezone 03-002: Zone Change for 935 Creston Road \(Bernard / 3F Holding Corporation\)](#)

R. Lata, Community Development Director

Consider 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. Application seeks to change the present zoning of R1 [Single-family Residential] to R2 PD [Duplex/Triplex Planned Development].) CONTINUED FROM SEPTEMBER 16, 2003

OPTIONS:

- a. Introduce for first reading Ordinance No. XXX N.S. amending Title 21 of the Zoning Code of the Municipal Code approving a zoning map change for 935 Creston Road (Assessor Parcel No. 009-641-002) from R1 (Single-family Residential) to R2 PD (Duplex/Triplex Planned Development); and set October 21, 2003, as the date for adoption of said Ordinance.
- b. Request additional information/analysis identifying what is needed, and continuing the open public hearing to a specific date, such as October 21, 2003.
- c. Amend, modify, or reject the above options.

ROLL CALL VOTE

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

CONSENT

3. [Signatory Authority – Local Agency Investment Fund \(LAIF\) - Redevelopment Account](#)

M. Compton, Administrative Services Director

Consider modifying signatory authority on certain City Accounts. (The hiring of a new finance manager makes the authorizing resolution currently on file with the Local Agency Investment Fund outdated and necessitates modifying signatory authority for various City accounts.)

OPTIONS:

- a. Adopt Resolution No. RA 03-xx designating certain City and Agency officers to make deposits and withdrawals with the Local Agency Investment Fund.
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE (REDEVELOPMENT AGENCY)

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 City Council minutes of September 16, 2003.](#)
D. Fansler, City Clerk
5. [Approve Warrant Registers: Nos. 42801 – 42915 \(9/12/03, 42916 – 43119 \(9/19/03\), and 43120 – 43248 \(9/26/03](#)
M. Compton, Administrative Services Director
6. Receive and file Advisory Body Committee minutes as follows:
[Citizens Airport Advisory Committee meeting of September 25, 2003](#)
[Housing Authority meeting of September 9, 2003](#)
[Library Board meeting of August 14, 2003](#)
Parks & Recreation Advisory Committee meeting of [July 8](#) and [August 26, 2003](#)
[Pioneer Museum Board meeting of August 14, 2003](#)
[Senior Citizen Advisory Committee meeting of July 14, 2003](#)
[Youth Commission meeting of June 4, 2003](#)
7. [Adopt Resolution No. 03-xx supporting the Paso Robles Main Street Program.](#) (The National Main Street Center is organizing the Great American Main Street Awards for 2003. Our Paso Robles Main Street Association will be applying for this national award, which recognizes outstanding revitalization of downtown commercial districts. The application process requires a Resolution of Support from the City Council.)
J. App, City Manager
8. [Extend the duration of the ad hoc committee formed in December 2002, to work with staff to address downtown parking and circulation related issues to July 6, 2004.](#) (Committee has continuing responsibilities to formulate recommendations regarding implementation of the Downtown Parking & Circulation Action Plan that was approved by Council on October 29, 2002.)
R. Lata, Community Development Director
9. [Dissolve the ad hoc committee formed in January 2002 to evaluate options to re-stripe Niblick Road to a four lane arterial from River Road to Creston Road.](#) (The assigned task of the ad hoc committee is complete.)
J. Deakin, Public Works Director
10. [Dissolve the ad hoc committee formed in July 2001 to review and select a citywide fee study consultant.](#) (With the selection of Maximus for preparation of the citywide fee study [non-development impact and utility user fee], the assigned task of the ad hoc committee is complete.)
M. Compton, Administrative Services Director
11. [Adopt Resolution No. 03-xx designating certain City officers to make deposits and withdrawals with the Local Agency Investment Fund \(LAIF\).](#) (The hiring of a new finance manager makes the authorizing resolutions currently on file with LAIF outdated and necessitates modifying deposit and withdrawal authority.)
M. Compton, Administrative Services Director

12. [Adopt Resolution No. 03-xx authorizing various bank accounts and designating certain City officers for signatory authority.](#) (The hiring of a new finance manager necessitates modifying deposit and withdrawal authority.)
M. Compton, Administrative Services Director
13. [Adopt Resolution No. 03-xx adopting Relocation and Real Property Acquisition Rules and Regulations.](#) (The 13th Street Bridge Widening Project has required the City to acquire certain properties. Council has adopted a Resolution of Necessity to acquire a portion of one property. Acquisition of that property will necessitate relocation of the occupants. In accordance with state law, the City must adopt certain rules and regulations regarding relocation guidelines and procedures.)
J. Deakin, Public Works Director
14. [Adopt Resolution No. 03-xx accepting the recordation of Parcel Map PRAL 01-348, a lot-line adjustment of commercial property located on the south and west sides of the Linne Road corner and accept the Offer of Dedication for road purposes on said map.](#) (Applicant is Holmes Living Trust. The lot-line adjustment was tentatively approved by the Community Development Director on January 24, 2002.)
R. Lata, Community Development Director
15. [Adopt Resolution No. 03-xx approving an application to encumber Proposition 40 Per Capita grant funds in the amount of \\$220,000 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.](#) (The State of California Department of Parks and Recreation requires a resolution approved by the City Council to apply for grant monies made available by the Park Bond Act of 2002.)
B. Partridge, Library & Recreation Services Director
16. [Adopt Resolution No. 03-xx approving the addition of two arborists \(Ted Elder and Chip Tamagni\) to the City's Pre-approved Certified Arborist List.](#) (The City Municipal Code requires that a person who provides services as an arborist in the City must be certified by the Western Chapter of the International Society of Arboriculture [ISA] and must be on a list of certified arborists approved by the City Council.)
R. Lata, Community Development Director

ROLL CALL VOTE

DISCUSSION

17. [Oak Tree Removal – Montebello Tract 2369, Lot 100 \(Falling Star Homes\)](#)
R. Lata, Community Development Director

Consider removing a four-stem 48-inch Valley Oak tree on Lot 100 of Tract 2369 (212 and 214 Kayla Court). (The tree is near the southern boundary of the Montebello Tract. The hill on which the tree is located is one of the highest elevations in the area. The arborist stated in a report performed on August 4, 2003, has several areas of weakness and disease and recommends that the tree be removed.)

OPTIONS:

- a. Adopt Resolution No. 03-xx approving the oak tree removal request based on the arborist report identifying that there is evidence of "included" bark and trunk decay, indicating that the tree crotch is weak and beyond correction; and require a replacement ratio of 12-inches of Valley Oaks, which shall be planted on site, in proper locations and techniques per the arborist or other horticulture professional and/or the trees can be donated to the City for future planting in a public area.

- b. Adopt Resolution No. 03-xx denying the oak tree removal request and direct the applicant to hire a Landscape Architect to work with the Arborist to come up with a landscape and retaining wall plan (without stairs that would encourage public access). The intent would be to provide stabilization and aesthetic value to the slopes while still preserving the subject oak tree.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

18. [Airport Sublease Agreements – Nunno Corporation, Ltd.](#)

J. Deakin, Public Works Director

Consider approving a sublease agreement form between Nunno Corporation, Ltd. and potential aircraft hangar tenants for aircraft storage at 3461 Dry Creek Road. (The City currently holds a long-term property lease with Nunno Corporation, Ltd. on the Municipal Airport. The lease remains in good standing and compliance. It allows the lessee to enter into sublease agreements on the site with the approval of the City.)

OPTIONS:

- a. Adopt Resolution No. 03-xx approving the sublease agreement form and authorize the City Manager to execute subleases between Nunno corporation, Ltd. and their respective aircraft hangar tenants at 3461 Dry Creek Road at the Municipal Airport once all site development conditions are completed and subsequent to review of each sublease request, as appropriate.
- b. Amend, modify or reject any of the above option.

ROLL CALL VOTE

19. [Transit Advisory Committee](#)

M. Compton, Administrative Services Director

Consider continuing recruitment efforts for the Transit Advisory Committee (TAC) or disbanding the committee. (Three terms of five will expire October 31, 2003. Only two applications has been received for consideration.)

OPTIONS:

- a. Direct staff to continue recruitment efforts to fill vacancies on the Transit Advisory Committee.
- b. Dissolve the Transit Advisory Committee.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

20. [Business License Audits and Enforcement](#)

M. Compton, Administrative Services Director

Consider auditing and enforcing business license provisions of the Municipal Code. (Municipal Auditing Services submitted an unsolicited proposal to the City to undertake an audit of the existing business licensees, as well as search for non-licensed businesses operating in the City.)

OPTIONS:

- a. Direct staff to negotiate and present a business license auditing contract for Council approval.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

21. [Cost of Services Fee Study](#)

M. Compton, Administrative Services Director

Consider awarding a cost of services fee study contract to Maximus. (The purpose of this study is to determine the cost of providing a variety of citywide services.)

OPTIONS:

- a. Adopt Resolution No. 03-xx (1) awarding the cost of services fee study project to Maximus, (2) authorizing staff to negotiate a final contract subject to City Attorney review, (3) authorizing the Mayor to execute said contract and (4) approving a one-time supplemental budget appropriation in the amount of \$11,000.
- b. Amend, modify or reject any of the above option.

ROLL CALL VOTE

22. [Barney Schwartz Park & Public Works General Fund Budget](#)

J. Deakin, Public Works Director

Presentation of a report on parks maintenance costs. (A summary of the fiscal year 2003 budget projection for all City parks, including Barney Schwartz Park, and yearend expenditures.)

OPTIONS:

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

ROLL CALL VOTE

CITY MANAGER

23. [Schedule Date for Applicant Interviews/Appointments – Citizens Airport Advisory Committee](#)

J. App, City Manager

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

4 vacancies: Two 2-year regular terms ending October 31, 2005 and two 2-year alternate terms ending October 31, 2005

Applicants

| | |
|-----------------------------|--------------------------|
| Simon Bernau | Chuck Miller (incumbent) |
| Wayne Caruthers (incumbent) | Mitchell Culver |
| Thomas Hardwick | |

VOICE VOTE

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

24. [Fiscal Year 2004 Vehicle Equipment Replacement Ad Hoc Committee](#)

J. Deakin, Public Works Director

Consider appointing an ad hoc committee to review the vehicle/equipment purchasing policy and requests to modify replacement vehicles.

OPTIONS:

- a. Appoint a two-member ad hoc committee to review the vehicle/equipment purchasing policy and requests to modify replacement vehicles, and report back to the full Council by December 16, 2003.
- 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, 2nd Floor

a. Conference with Real Property Negotiator – Property Acquisition

Government Code Section 54956.8

Property: 7-10 acres within Tract 2369 located north of Union Road and south of Highway 46 East in the Union/46 Specific Plan Area

Parties: Owner/Negotiator Arciero & Sons, Inc.

City Negotiator: James L. App, City Manager

Under negotiation: Price and terms of payment to purchase 7-10 acres within the Tract to facilitate construction of a school and park

b. Conference with Legal Counsel – Existing Litigation

Subdivision (a) of Government Code Section 54956.9

Claim No. 5107848

Coria, Hugo & Suarez, Gilberto

Goodrich, Steven

Heer, Walter and Donna

Leslie, Judy

MCM Construction

Munari, Jack

Norby, Eva

Quail Run Joint Venture

Robertshaw, Aaron

San Luis Obispo Tribune

S. C. Beirold Anderson

Smiley, Leslie

c. Conference with Legal Counsel – Initiation of Litigation

Subdivision (c) 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, OCTOBER 21, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR
COUNCIL MEETING IS OCTOBER 10, 2003***