

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 21, 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)

PRESENTATIONS - None

## PUBLIC HEARINGS

1. [Street Abandonment 03-002 \(12th Street - Wyatt\)](#)

R. Lata, Community Development Director

Consider abandoning a portion of 12th Street, an 80-foot right-of-way from Paso Robles Street to State Highway 101. (Applicant Gregg Wyatt's abandonment request seeks to eliminate the requirement for street improvements and to provide parking for his existing commercial building on Paso Robles Street. On September 16, 2003, Council adopted Resolution of Intent to Abandon No. 03-170, setting this date for a public hearing to abandon this right-of-way.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx to abandon a portion of 12th Street—an 80-foot right-of-way from Paso Robles Street to State Highway 101—and retain a public services easement for water, sanitary sewer, and public services as shown on the Exhibit "A" as requested by the adjacent property owners subject to conditions set forth.
- 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 2-10 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

2. [Approve City Council minutes of September 18, 2003.](#)

D. Fansler, City Clerk

3. [Approve Warrant Registers: Nos. 43249 – 43400 \(10/3/03\) and 43401 – 43555 \(10/10/03\)](#)

M. Compton, Administrative Services Director

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

Parks & Recreation Advisory Committee meetings of [August 26](#) and [September 9](#), 2003

[Senior Citizen Advisory Committee meeting of September 8, 2003](#)

[Transit Advisory Committee meeting of June 4, 2003](#)

[Youth Commission meetings of September 3 and 10, 2003](#)

5. [Proclamation recognizing the month of October as Disability Achievement Month.](#)

6. [Proclamation recognizing the month of November 2003 as Toy Bank Month.](#)
7. [Adopt Resolution No. 03-xx declaring October 23 through October 31, 2003, as Red Ribbon Week in the City of Paso Robles.](#) (The Red Ribbon Week highlights local substance abuse prevention programs. All citizens are encouraged to demonstrate their commitment to a drug free community by wearing and displaying red ribbons during this observance. )  
D. Cassidy, Police Chief
8. [Read, by title only, and adopt Ordinance No. 866 N.S. amending Title 21 of the Zoning Code of the Municipal Code to approve a zoning map change for 935 Creston Road \(Assessor Parcel Number 009-641-002\) from R1 \(Single-family residential\) to R2 PD \(Duplex/Triplex Planned Development\) – Rezone 03-002, Nanci Bernard\).](#) (Property is situated generally to the west of Orchard Drive.)  
R. Lata, Community Development Director
9. [Dissolve the ad hoc committee formed in September 2001 to evaluate proposals for an airport restaurant operator.](#) (All work is complete.)  
J. Deakin, Public Works Director
10. [Adopt Resolution No. 03-xx approving an application to encumber Proposition 40 Roberti-Z' Berg-Harris Block Grant funds in the amount of \\$69,863 from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.](#) (The California Department of Parks and Recreation requires a resolution approved by City Council to apply for grant monies made available by the Park Bond Act of 2002. No matching funds are required to receive the grant. These funds will be added to those allocated for the Centennial Park Enhancement Project.)  
B. Partridge, Library & Recreation Services Director

#### **ROLL CALL VOTE**

#### **DISCUSSION**

11. [Request for Residential Subdivision Septic Systems – Tract 2521 \(Bertoni\)](#)  
R. Lata, Community Development Director

Consider a request from John Bertoni to service nine lots (including two with existing houses on septic systems) with septic systems, as part of the development of Tract 2521. (Tract 2521 is 11.9 acres located at 75 21<sup>st</sup> Street and is a subdivision of nine lots, each lot proposed to be at least one acre in size. The Public Works Department recommends that the subdivider extend the sewer in 21<sup>st</sup> Street to serve the subdivision.) CONTINUED FROM AUGUST 19, 2003

#### **OPTIONS:**

- a. Adopt Resolution No. 03-xx denying a request for use of septic systems for lots in Tract 2521.
- b. Adopt Resolution No. 03-xx authorizing use of septic systems for lots in Tract 2521.
- c. Amend, modify or reject any of the above options.

#### **ROLL CALL VOTE**

12. [Parking Restrictions \(Red Curb\) on Black Oak Drive](#)

J. Deakin, Public Works Director

Consider parking restrictions (red curb) on Black Oak Drive in front of 2805 Black Oak Drive. (Applicant: Terry Webb of Shift N' Gears Pit Stop & Motorcycle Rentals. On September 26, the Streets and Utilities Committee voted to recommend parking restrictions at this location due to site line problems when large trucks and trailers park too close to the curve on either side of Black Oak Drive near Mr. Webb's business.)

**OPTIONS:**

- a. Approve restricting parking at 2805 Black Oak Drive (255 feet around the corner) and extend parking restriction across the street near entrance to Motel 6 (60 feet).
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

13. [General Plan Residential Densities; Ad Hoc Committee and Planning Commission Recommendations Regarding Transfer of Densities Among Potential Expansion Areas](#)

R. Lata, Community Development Director

Consider recommendations from ad hoc General Plan committee on the Planning Commission regarding transfer of densities in the Draft General Plan. (Options being presented include transfer of General Plan designations for multi-family densities from two locations: from north of Cuesta College and Our Town to the Beechwood Area and the Olsen Ranch. Both transfers are within the overall density parameters established in the Draft Environmental Impact Report and Draft General Plan.)

**OPTIONS:**

- a. Support the recommendations of the ad hoc committee and Planning Commission to transfer densities as illustrated in Exhibit A for inclusion in the Draft General Plan.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

14. [Accounting of Oak Tree Removal Permit and Replacement Process](#)

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

Receive a report on the City's oak tree removal permit and replacement process. (Staff will provide a summary overview of the oak tree permit removal and replacement process, as well as a report identifying how the planting of the replacement oak trees is tracked.)

**OPTIONS:**

- a. Receive and file information on the City's oak tree removal permit and replacement process.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**15. [Street Sweeper Scope of Work](#)**

J. Deakin, Public Works Director

Consider scope of work for street sweeping. (As the current contractor is not performing to contract standards and the contract is due to expire, the Streets and Utilities Committee suggested at its September 26 meeting to solicit proposals for a new contract with the scope of work as found in current specifications. It is suggested that after an observation period and feedback from the public the level of service be analyzed and adjusted as necessary.)

**OPTIONS:**

- a. Direct staff to prepare street sweeping Request for Proposals with current scope of work.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**16. [Budget Appropriation for Fiscal Year 2003 Encumbrances](#)**

M. Compton, Administrative Services Director

Consider carry-over appropriations for fiscal year 2003 encumbrance requests. (Proposed encumbrances represent requests to carry over unspent budget appropriations for the fiscal year just ended June 30, 3003. Carry-over appropriations are not new requests. They represent previously approved Council budget appropriations for projects and/or equipment purchases that were not completed in the prior budget year.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx approving budget appropriations for fiscal year 2003 carry-over requests.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**17. [Use of Septic System – 9000 Highway 46E \(City\)](#)**

R. Lata, Community Development Director

Consider a request to replace a septic leach field serving the office of Pacific Waste Services, Inc., operators of the City-owned landfill at 9000 Highway 46 East. (The current Municipal Code permits construction of any septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage only if the sewer is not available. The City's landfill property is comprised of 40 acres. The nearest sewer available is located near the Airport, approximately four miles to the west.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx authorizing replacement and continued use of a septic system for the office of Pacific Waste Services, Inc. (operators of the City-owned landfill at 900 Highway 46 East) subject to Conditions "a" through "k" as stated in Municipal Code Section 14.08.070, K, 4 "Conditions."

- b. Adopt Resolution No. 03-xx authorizing use of septic systems for lots in Tract 2521.
- c. Amend, modify or reject any of the above options.

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

**ADJOURNMENT:** to THE REGULAR COUNCIL MEETING FOR AIRPORT ADVISORY COMMITTEE INTERVIEWS & APPOINTMENTS AT 7:00 PM ON THURSDAY, OCTOBER 30, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, OCTOBER 24, 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***