

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, November 18, 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. [Kinetics Services, Inc. – Energy Conservation Proposal](#)

J. Deakin, Director of Public Works

Consider contracting with Kinetics Services, Inc. to design and build energy saving modifications for City facilities. (Kinetics Services, Inc. presented an unsolicited proposal to the City to design and build energy retrofit projects to conserve and/or generate energy for City facilities. In August 2003, Council reviewed the proposal and appointed an ad hoc committee to develop the proposal into a draft agreement for consideration.)

**OPTIONS:**

- a. (1) Adopt Resolution No. 03-xx approving a contract with Kinetics Services, Inc. to design and build energy saving modifications for City facilities; and
- (2) Dissolve the ad hoc committee formed to develop the proposal submitted by Kinetics Services, Inc. into an agreement acceptable to both the City and Kinetics.
- 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 October 21, 2003.](#)

D. Fansler, City Clerk

3. [Approve Warrant Registers: Nos. 43809 – 43934 \(10/31/03\) and 43935 – 44065 \(11/7/03\)](#)

M. Compton, Administrative Services Director

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

Citizens Airport Advisory Committee meetings of [August 28](#) and [September 25, 2003](#)  
[Transit Advisory Committee meeting of September 3, 2003](#)

5. [Adopt Resolution No. 03-xx annexing Creekside Gardens \(PD 02-001\) as part of Sub-area 73 to the “Paso Robles Landscape and Lighting District No. 1” \(Streets and Highways Code Sections 22500, et seq.\)](#) (Planning Commission approved Creekside Gardens development in July 2002 with condition that property annex into the Landscape and Lighting District.)

R. Lata, Community Development Director

6. [Adopt Resolution No. 03-xx accepting the recordation of Parcel Map PR 00-217 \(JIT Manufacturing, Inc.\). \(This is a 3-lot commercial-industrial subdivision located on the east side of Commerce Way and the east side of Fontana Road, and south of Sherwood Road.\)](#)  
R. Lata, Community Development Director
7. [Adopt Resolution No. 03-xx accepting negotiated exchange of property tax revenue and annual tax increment between the County of San Luis Obispo and the City – Annexation No. 85 \(Hunter\).](#) (Subject property, designated in the General Plan as Parks and Open Space, is approximately 220 acres, located south of Highway 46 East. A pre-zone to the same category is currently underway. Under the terms of the County’s proposed agreement, the City will receive approximately 11% of the future property tax increment. )  
R. Lata, Community Development Director
8. [Dissolve ad hoc committee formed in September 2003 to review annual budget carry-over requests.](#) (Work of committee is complete.)  
M. Compton, Administrative Services Director
9. [Dissolve ad hoc committee formed in October 2003 to review evaluate/review FY 2004 vehicle equipment replacement.](#) (Work of committee is complete.)  
J. Deakin, Public Works Director
10. [Adopt Resolution No. 03-xx transferring \\$100,000 from the General Fund Reserve to the Landscape and Lighting District.](#) (On November 4, 2003, Council approved \$100,000 in landscaping improvements to the deficit sub-areas in the Landscape and Lighting District to bring them up to an improved state.)  
J. Deakin, Public Works Director

**ROLL CALL VOTE**

**DISCUSSION**

11. [2004 Community Development Block Grant Program](#)  
R. Lata, Community Development Director

Consider which applications for the 2004 Community Development Block Grant (CDBG) funds should be recommended in the *Draft Annual Action Plan*. (The City’s 2004 allocation of CDBG funds is uncertain. For planning purposes the program total is being estimated at approximately \$393,000. The City has received 21 applications for funds, totaling over \$854,600. In January 2004, the County will publish a Draft Consolidated Plan, which will list all of the activities being recommended for consideration by the various city councils and Board of Supervisors at public hearings to be held in February and March 2004.)

**OPTIONS:**

There are many more applications than there will be CDBG funds to support. Two potential funding options have been prepared, using previous year’s allocations as a guide.

**Option A** provides for funding the following activities:

|   |                  |                               |
|---|------------------|-------------------------------|
| Public Services Activities .....          | \$ 58,950        | (full 15% of 2004 allocation) |
| Municipal Pool Changing Room Rehab 2..... | \$160,450        | (for re-roofing)              |
| Acorn Building Rehab (elevator).....      | \$ 95,000        | (same amount as IOOF Bldg)    |
| Administration .....                      | <u>\$ 78,600</u> |                               |
|   | <u>\$393,000</u> |                               |

Option A assumes that the Council wants to continue to complete the rehabilitation of the Municipal Pool Changing Room Building (in an amount sufficient to re-roof the building) and the revitalization of the downtown by facilitating occupancy of second floors of commercial buildings (i.e. the Acorn Building).

**Option B** provides for funding the following activities:

|   |                  |                               |
|---|------------------|-------------------------------|
| Public Services Activities .....          | \$ 58,950        | (full 15% of 2004 allocation) |
| Municipal Pool Changing Room Rehab 2..... | \$170,000        | (for replacing the floor))    |
| LED-lighted crosswalks.....               | \$ 50,000        | (for one intersection)        |
| Downtown Newsracks.....                   | \$ 35,450        | (for 14 modular newsracks)    |
| Administration .....                      | <u>\$ 78,600</u> |                               |
|   | \$393,000        |                               |

Option B assumes that the Council wants to continue to complete the rehabilitation of the Municipal Pool Changing Room Building (which could be either re-roofing or replacing the floor) and the installation of LED-Lighted Crosswalk systems to improve public safety. The remaining \$35,450 could fund a pilot modular newsrack program in the downtown.

Both options begin with an assumption that the Council will want to continue to allocate 15% of the total allotment of CDBG funds for public service activities. Within this assumption, there are two sub-options for both Options A and B as follows:

**Sub-Option 1:** Allocate \$45,000 of the \$58,950 to EOC's Emergency Shelter Operations and the remaining \$13,950 as follows:

|   |          |
|---|----------|
| Boys & Girls Club Operations.....                 | \$ 4,000 |
| Lifestyles Drug & Alcohol Counseling Program..... | \$ 4,000 |
| Big Brothers/Big Sisters Mentoring Program.....   | \$ 3,450 |
| Literacy Council's Literacy Program.....          | \$ 2,500 |

Sub-Option 1 assumes that the Council would allocate the remaining \$13,950 to the same public service programs, other than EOC's, as in 2003, albeit at lesser amounts than in 2003.

**Sub-Option 2:** Allocate the \$58,950 as follows:

|  |          |                             |
|--|----------|-----------------------------|
| Homeless Housing Project's Motel Voucher Program ..... | \$24,000 | ..... (same amount as 2003) |
| EOC's Senior Health Screening Program.....             | \$ 5,000 | ..... (same amount as 2003) |
| EOC's 40 Wonderful Program.....                        | \$ 2,000 | ..... (same amount as 2003) |
| EOC's Teen Academic Parenting Program .....            | \$ 3,600 | ..... (same amount as 2003) |
| Boys & Girls Club Operations.....                      | \$ 6,300 | ..... (same amount as 2003) |
| Lifestyles Drug & Alcohol Counseling Program.....      | \$ 6,100 | ..... (same amount as 2003) |
| Big Brothers/Big Sisters Mentoring Program .....       | \$ 7,250 | ..... (same amount as 2003) |
| Literacy Council's Literacy Program.....               | \$ 3,000 | ..... (same amount as 2003) |
| DREAM Foundation's Scholarship Program .....           | \$ 1,700 | ..... (new program).        |

Sub-Option 2 assumes that the Council would allocate the 15% for public services to the same programs and in the same amounts as in 2003. If there are additional 15% funds in 2004, as the above schedule assumes, a new program could be added (e.g., DREAM Foundation's Scholarship Program). Alternatively, the Council may choose to modify Sub-Option 2 to delete some programs, add others, and/or change funding amounts within the 15% cap.

Regardless of which activities are listed in the Draft Consolidated Plan as being recommended for funding, the Council will have the authority to approve any of the submitted applications for CDBG funds following a public hearing to be tentatively scheduled for either February 17 or March 2, 2004.

## **ROLL CALL VOTE**

**12.** [Economic Opportunity Commission's Request for Financial Support for Operation of Proposed North County Emergency \(Homeless\) Shelter in Atascadero](#)

R. Lata, Community Development Director

Consider request from the Economic Opportunity Commission of San Luis Obispo (EOC) to the City, as well as the City of Atascadero and the County) for financial support for a proposed North County Emergency (Homeless) Shelter in Atascadero.

### **OPTIONS:**

Upon receipt of public comments, take one of the following minute actions:

- a.** Support the project in the amount of \$45,000 and indicate an intent to use \$25,000 of the 15% of the City's allocation of 2004 CDBG funds for this project and supplementing CDBG funds with \$20,000 in General Funds. This support shall be subject to the following conditions:
- (1)** Shift of a proportionate share (at least \$60,000) of the Special Urban Projects Fund and ESG funds to assist the North County Emergency Shelter;
  - (2)** Participation by the City of Atascadero and the County to collectively contribute the amount necessary to cover the shelter's annual operating costs;
  - (3)** Award of a conditional use permit, completion of construction, and issuance of a Certificate of Occupancy for the shelter; and
  - (4)** Continued availability of CDBG funds in amounts no less than what has been received in each of the last three years, and that EOC will not seek supplemental funds should their estimated volunteer in-kind donations not mature.

It should be noted that the City Council cannot take final action on the allocation of 2004 CDBG funds until a public hearing is conducted on the 2004 CDBG program, which will occur either in late February or early March 2004.

- b.** Support the project in the amount of \$45,000, all of which would be taken from the 15% of the City's allocation of 2004 CDBG funds. This support shall be subject to the following conditions:
- (1)** Shift of a proportionate share (at least \$60,000) of the Special Urban Projects Fund and ESG funds to assist the North County Emergency Shelter;
  - (2)** Participation by the City of Atascadero and the County to collectively contribute the amount necessary to cover the shelter's annual operating costs;
  - (3)** Award of a conditional use permit, completion of construction, and issuance of a Certificate of Occupancy for the shelter; and

- (4) Continued availability of CDBG funds in amounts no less than what has been received in each of the last three years, and that EOC will not seek supplemental funds should their estimated volunteer in-kind donations not mature.

It should be noted that the City Council cannot take final action on the allocation of 2004 CDBG funds until a public hearing is conducted on the 2004 CDBG program, which will occur either in late February or early March 2004.

- c. Deny EOC's request without prejudice, which would allow them to reformulate a new request to be resubmitted at a later date.
- d. Amend, modify, or reject the foregoing options.

#### **ROLL CALL VOTE**

**13.** [Chandler Ranch Area Specific Plan: Request to Select Alternative for Study in Environmental Impact Report and Determination of Adequacy of Grading and Landform Alteration Modeling](#)

R. Lata, Community Development Director

Consider the Planning Commission's recommendation regarding selection of the "study alternative" for the Chandler Ranch Area Specific Plan Draft Environmental Impact Report (DEIR) and provide comment on the adequacy of available modeling information. (The Chandler Ranch Area Specific Plan [a City project] covers an approximately 833-acre geographic area located in an area generally bounded by State Highway 46 East on the north, Golden Hill Road and Fontana Road on the west, Linne Road on the south, and Airport Road on the east and some properties to the east of Airport Road, including Our Town. The Planning Commission reviewed four alternative draft land use plans and is recommending selection of Alternative No. 3: a modified property owners' proposal, with up to 1,300 dwelling units and full compliance with hillside grading requirements.)

#### **OPTIONS:**

For the City Council to consider all relevant information and testimony, and take action on the following topics:

- a. (1) Concur with the Planning Commission's recommendation to select the land uses in Alternative No. 3 for the purposes of study and analysis in the Draft EIR. One should keep in mind that a less intensive alternative or a combination of alternatives can still be selected for the final Specific Plan. As recommended by the Planning Commission, the limitations of the current Hillside Ordinance would apply and the number of dwelling units that could be developed is estimated to be at least about 140 dwelling units less than anticipated in the property owners' alternative (only once a grading plan that complies with the Hillside Ordinance is prepared will we know how many dwelling units can be developed); and
- (2) Authorize utilization of \$15,000 in additional funding for the Chandler Ranch Area Specific Plan to develop a schematic grading plan for Area 7 in the Alternative recommended by the Planning Commission. These funds would be transferred from contingency funding in the General Plan update program; and

- (3) Direct staff and Rincon to seek proposals for effective modeling of the grading and landform modifications that would be entailed in implementing the Hillside Ordinance. This modeling includes a comparison to mass grading (two different approaches); the focus of the modeling would be limited to Area 7 as illustrated on Alternative No. 3; and
- (4) Identify any specific topics or issues that warrant particular consideration in the context of the Draft EIR and the Draft Specific Plan.

#### **ROLL CALL VOTE**

For the City council to consider all relevant information and testimony, and take action on the following topics:

- b.
  - (1) Determine that the City may wish to consider the option of mass grading within the Chandler Ranch Area Specific Plan and for that reason wishes to utilize a more intensive land use option (specifically Alternative No. 3 with mass grading) as the basis for study and analysis in the Draft EIR. Again, one should keep in mind that a less intensive alternative or a combination of alternatives can be selected for the final Specific Plan; and
  - (2) Authorize utilization of \$15,000 in additional funding for the Chandler Ranch Area Specific Plan to develop a schematic grading plan for Area 7 in the Alternative recommended by the Planning Commission. The purpose of this analysis would be to show the comparison of mass grading versus custom lot grading in Area 7 of the Specific Plan. These funds would be transferred from contingency funding in the General Plan update program; and
  - (3) Direct staff and Rincon to seek proposals for effective modeling of the grading and landform modifications that would be entailed in implementing the Hillside Ordinance and also mass grading (two different approaches); the focus of the modeling would be limited to Area 7 as illustrated on Alternative No. 3; and
  - (4) Identify any specific topics or issues that warrant particular consideration in the context of the Draft EIR and the Draft Specific Plan.
- c. Amend, modify, or reject the foregoing options.

#### **ROLL CALL VOTE**

#### **14. [Downtown Diagonal Parking](#)**

J. Deakin, Public Works Director

Consider additional diagonal parking areas on downtown streets in the appropriate areas bordered by 9th Street, 15th Street, Vine Street and Riverside Drive. (Both currently unmarked parking areas and existing parallel parking spaces can be changed to diagonal parking, thereby increasing parking capacity in the downtown area. The Streets & Utilities Committee is recommending the addition of 67 spaces.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx approving an additional 67 diagonal parking spaces downtown, and appropriating \$7,000 to Budget Account No. 100-310-5212-162 for the project.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**15.** [Air Show Report](#)

J. Deakin, Public Works Director

Receive report outlining concepts and provisions necessary to sponsor an airshow. (Report is based on information from the International Council of Airshow—the organizational representative and airshow authority for airshows, airshow performers, airshow producers and airshow support services.)

**OPTIONS:**

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

**ROLL CALL VOTE**

**16.** [Parking Restrictions \(Red Curb\) on Ramada Drive](#)

J. Deakin, Public Works Director

Consider parking restrictions (red curb) on Ramada Drive from Highway 46 West intersection to north terminus of Ramada Drive. (Streets & Utilities Committee is recommending parking restrictions in certain locations along east side of Ramada to increase the safe ingress and egress to Ramada from business driveways and street intersections.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx approving parking controls (595 feet of red curb) on the northern end of Ramada Drive from the Highway 46 intersection north to the terminus of the road.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

17. [13th Street/Creston Road/River Road Intersection](#)

J. Deakin, Public Works Director

Consider traffic warning signage and road marking at the intersection of Creston Road and North River Road. (Traffic at both ends of the 13th Street Bridge is heavy and it is difficult during peak hours for motorists to make left-hand turns. The 13th Street Bridge project will alleviate many of the traffic concerns at this intersection, but this interim measure of signage and road markings will alert drivers to the potential for gridlock in the intersection.)

**OPTIONS:**

- a. Adopt Resolution No. 03-xx approving “Do Not Block Intersection” road marking and signage at the 13th Street intersection with Creston Road and North River Road.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

18. [Commissioned Art in the Children's Play Area of City Park](#)

B. Partridge, Library & Recreation Services Director

Consider Parks and Recreation Advisory Committee's recommendation to request proposals from artists to create interactive public art to be placed in the children's play area of the downtown City Park. (REC, Inc.—a nonprofit corporation that raises funds to enhance recreational places and programs in Paso Robles—gifted the City with \$10,000 from the 2002 Duck Derby to commission an interactive piece of art for the children's play area.)

**OPTIONS:**

- a. Accept the Parks and Recreation Advisory Committee's recommendation to commission interactive public art consistent with the parameters of the City's Public Art Policy for the children's play area of the downtown City Park.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

19. [Solid Waste Program – Regional Recycling Facility Agreement](#)

J. Deakin, Public Works Director

Consider an agreement with North San Luis Obispo County Recycling, Inc. for recyclables processing and associated solid waste / recycling services. (The City and Paso Robles Waste Disposal [PRWD] partner to collect commercial and residential recyclable materials. Currently, PRWD ships collected recyclables to the Cold Canyon Landfill, near San Luis Obispo. San Luis Obispo County Recycling, Inc. has completed construction of a recyclables facility in Templeton and will open mid-November. The agreement provides franchise fee revenue.) CONTINUED FROM NOVEMBER 4, 2003

**OPTIONS:**

- a. Authorize the Mayor to execute the Agreement for Services with North San Luis Obispo County Recycling, Inc. to provide commingled recyclables processing services to the City.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

**20.** [Award Contract to Relocate and Upgrade Lift Station No. 7](#)

J. Deakin, Public Works Director

Consider awarding a contract to relocate and upgrade Lift Station No. 7. (Lift Station No. 7 is currently located north of First Street, between Oak and Spring Streets. Planned relocation will be to the southeast corner of First and Oak Streets within the public right-of-way to accommodate planned developments tributary to the zone. Eleven bids were received at the Bid Opening on November 6th. The low bid submitted by MGE Underground, Inc. was reviewed and considered to be a responsive bid.

**OPTIONS:**

- a. Adopt Resolution No. 03-xx awarding a contract to low bidder MGE Underground, Inc. in the amount of \$205,902.00 to upgrade and relocate Lift Station No. 7.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

**CITY MANAGER**

**21.** [Schedule Date for Applicant Interviews/Appointments – Housing Authority](#)

J. App, City Manager

Select date for conducting interviews and making appointment to fill vacated term on the Housing Authority.

1 vacancy to fill vacated term of resident member Gladys Moore. Term to expire 2-28-05.

2 resident applicants:

Andres Perales  
Carmen Garcia

**VOICE VOTE**

**22.** [Schedule Date for Applicant Interviews/Appointments – Transit Advisory Committee](#)

J. App, City Manager

Select date for conducting interviews and making appointment to fill vacancies on the Transit Advisory Committee.

3 vacancies for 4-year regular terms expiring 10-31-07

3 applicants:

Joe M. Dutra (incumbent)

Terry L. Gillespie (incumbent)

Daniel B. Young

**VOICE VOTE**

**23.** [Schedule Date for Applicant Interviews/Appointments – Project Area Committee](#)

J. App, City Manager

Select date for conducting interviews and making appointment to fill vacancies on the Project Area Committee. Application deadline is December 1, 2003, at 5:00 p.m.

4 vacancies for 3-year regular terms expiring 12-31-06

**VOICE VOTE**

**CORRESPONDENCE – None**

**ADVISORY BODY COMMUNICATION - None**

**AD HOC COUNCIL BUSINESS**

**24.** [Ad Hoc Committee – Fiscal Year 2005 Budget](#)

M. Compton, Administrative Services Director

Consider appointing two Councilmembers to an ad hoc committee to assist with review and preparation of budget for fiscal year 2005. (Due to uncertainties of State budget and potential impact upon City revenues, Council adopted a single-year budget for fiscal year 2004, rather than a two-year budget. Efforts have now begun to develop the fiscal year 2005 budget.)

**OPTIONS:**

a. Appoint a two-member ad hoc committee assist with the development and preparation of the budget for fiscal year 2005, reporting back to the full Council by no later than April 6, 2004.

b. Amend, modify or reject any of the above option.

**VOICE VOTE**

## **COUNCIL COMMENTS**

**ADJOURNMENT:** to THE CHANNEL COUNTIES QUARTERLY MEETING AT 5:30 PM ON FRIDAY, NOVEMBER 21, 2003, ODD FELLOW'S BALLROOM, 1226 PARK STREET; TO THE GENERAL PLAN UPDATE PUBLIC HEARING AT 7:30 PM ON TUESDAY, NOVEMBER 25, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, DECEMBER 4, 2003, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR  
COUNCIL MEETING IS NOVEMBER 21, 2003***