

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, December 16, 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

7:30 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. [General Plan Update Program: Final Environmental Impact Report and Draft General Plan Elements](#)

R. Lata, Community Development Director

Evaluate all applicable information and consider the Planning Commission's recommendations regarding the Final Environment Impact Report (FEIR) and General Plan update. (The Planning Commission recommends certification of the FEIR and adoption of the policies and programs in the General Plan update, but with a limitation of 38,000 residents in the year 2025. The FEIR on the General Plan update analyzed the range of potential impacts that could occur from implementation of a General Plan update with up to a maximum growth scenario of 45,500 residents in the year 2025. Feasible impact mitigation measures were also identified. The scope of the FEIR allows the City Council to consider and approve any option up to and including the maximum growth scenario.)

OPTIONS:

Subject to consideration of all available information and following the close of the noticed public hearing, for the City Council to:

- a. Adopt Resolution No. 03-xx to certify the Final Environmental Impact Report for the General Plan update and Resolution No. 03-xxx approving the Planning Commission recommendation to adopt the General Plan update with a limitation of 38,000 residents in the year 2025 (this option would not include support for residential annexations, nor would it increase the current General Plan entitlements for the Chandler Ranch Area Specific Plan). Implementation of the General Plan would include the following parameters:
 - (1) Carry out all of implementation and mitigation measures contained in the individual General Plan Elements;
 - (2) Pursue formation of one or more Community Facility Districts (CFD) to supplement Development Impact Fees and Specific Plan Fees to mitigate both infrastructure and service impacts of all new development, including but not limited to Specific Plan areas, for both the City and the School District;
 - (3) Maintain the current Level of Service (LOS) standard of "C" for peak hour periods;
 - (4) Direction to staff to pursue the appropriate follow-up steps to adoption of the General Plan, including but not limited to:
 - Working with LAFCO to update the City's Sphere of Influence boundary to include the 511 acres addressed in the FEIR;

- Updating the City’s Water, Sewer, and Storm Drain Master Plans to anticipate both the scope of the 2025 General Plan and potential future expansions within the Planning Impact Area;
 - Updating the City’s Development Impact Fee schedule to reflect the full potential growth and infrastructure needs outlined in the General Plan;
 - Utilizing the City’s Fiscal Impact Analysis Model to evaluate the Specific Plans that are being prepared to insure fiscal neutrality in terms of impacts on the City’s ability to provide services;
 - Prepare design standard for high density multi-family development and application of the mixed use and senior housing overlays; no new projects pursuant to the RMF-20 zoning or overlay areas can be approved until the new standards are adopted;
 - Take steps to pursue identification of the “purple belt” boundaries and alternative mechanisms for financing preservation of open space;
 - Work with property owners, the National Park Service, and other agencies and interested persons in actively pursuing long-term plans for land uses and facilities within the Salinas River Overlay Area;
 - Bring forward Design Guidelines for the Historic District including more specific standards for signage in that area.
- b.** An alternative approach for Council consideration is to adopt Resolution No. 03-xx to certify the Final Environmental Impact Report for the General Plan update and adopt Resolution No. 03-xxx to approve the General Plan update with a limitation of one of the three growth related scenarios (the Council would need to specify the desired number of residents in the year 2025 and address the related geographic boundaries within the scope of the 511 acres that were studied in the FEIR). Implementation of the General Plan would include the following parameters:
- (1)** Carry out all of implementation and mitigation measures contained in the individual General Plan Elements;
 - (2)** Pursue formation of one or more Community Facility Districts (CFD) to supplement Development Impact Fees and Specific Plan Fees to mitigate both infrastructure and service impacts of new development, including but not limited to Specific Plan and annexation areas, for both the City and the School District. Policy options would be presented to address financial impacts on affordable housing projects as defined in the City’s Housing Element;
 - (3)** Establish Level of Service (LOS) standard of “D” as an interim standard until such time as either the Charolais Road extension to Highway 101 is constructed or the Highway 46 East is established as a Freeway configuration between Highway 101 and Airport Road;

- (4) Direction to staff to present policy options that would provide alternatives to wide, high-speed streets in order to maximize public safety while at the same time promoting slower, more constant traffic flow through innovative street design; these provisions would include pedestrian-friendly design and an expanded focus on public transit opportunities;
- (5) Direct staff to pursue the appropriate follow-up steps to adoption of the General Plan, including but not limited to:
- Working with LAFCO to update the City's Sphere of Influence boundary to include the 511 acres addressed in the FEIR
 - Updating the City's Water, Sewer, and Storm Drain Master Plans to anticipate both the scope of the 2025 General Plan and potential future expansions within the Planning Impact Area;
 - Updating the City's Development Impact Fee schedule to reflect the full potential growth and infrastructure needs outlined in the General Plan;
 - Utilizing the City's Fiscal Impact Analysis Model to evaluate all Specific Plans, including those that are to be prepared for proposed Annexation Areas, to insure fiscal neutrality in terms of impacts on the City's ability to provide services;
 - Prepare design standard for high density multi-family development and application of the mixed use and senior housing overlays; no new projects pursuant to the RMF-20 zoning or overlay areas can be approved until the new standards are adopted;
 - Work with applicants for annexation in the areas anticipated in the General Plan and with LAFCO to process pending applications concurrent with LAFCO updating the City's Sphere of Influence;
 - Work with property owners / applicants in preparation for the City to establish Specific Plans for proposed annexation areas;
 - Take steps to pursue identification of the "purple belt" boundaries and alternative mechanisms for financing preservation of open space;
 - Work with property owners, the National Park Service, and other agencies and interested persons in actively pursuing long-term plans for land uses and facilities within the Salinas River Overlay Area;
 - Bring forward Design Guidelines for the Historic District, including more specific standards for signage in that area.

- c. Amend, modify or reject the foregoing options, including consideration of policy options that are currently not in the Draft General Plan but which can be accommodated within the scope of the FEIR:
 - (1) Deleting the policy provision that would provide maximum protection from encroachment of incompatible residential development within the Airport Land Use Review Area. The Draft General Plan currently has language (consistent with the Draft Airport Land Use Plan) that would preclude granting new entitlements for residential development. If the Council deletes this policy provision, property owners could apply for residential subdivision to parcel sizes consistent with the established land use designation and zoning (the current General Plan and Zoning allow 20 acre minimum parcel sizes in the AG Zone; a General Plan Amendment and Rezone / Code Amendment would be needed to allow the same entitlement in the POS Zone);
 - (2) Directing staff to present policy options to require "Inclusionary Zoning" and/or an "in lieu" fee for affordable housing;
 - (3) Directing staff to present policy options to phase/meter/manage growth & development beyond what can be accomplished through a Specific Plan (e.g. limiting the number of Building Permits for any calendar year or in relation to infrastructure capacity).

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

- 2. [Approve Warrant Registers: Nos. 44385 – 44526 \(11-14-03\) and 44527 – 44682 \(11-21-03\)](#)
M. Compton, Administrative Services Director
- 3. [Receive and file Advisory Body Committee minutes as follows:](#)
Housing Authority meeting of November 12, 2003
- 4. [Proclamation recognizing Marvin Scantlin for 21 years as member of City staff in the Public Works Department.](#)
- 5. [Read, by title only, and adopt Ordinance No. XXX N.S. amending Title 21 of the Zoning Code of the Municipal Code to approve a zoning map change for 4041 Highway 46 east – APN 015-031-050 – Prezone 03-006, Hunter Ranch Golf Course, Annexation No. 85.](#) (Pre-zoning this site as POS implements the City's Economic Strategy, which encourages and supports the development of resort quality golf courses in Paso Robles and endorses the annexation of all Highway 46 corridors to include existing golf courses and wineries that are in the City's Sphere of Influence. No land use changes or development projects are being proposed as a part of annexation. Any future development, redevelopment, or expansion proposal for the site would require separate City review and approval via its development review process.)
1ST READING DECEMBER 2, 2003
R. Lata, Community Development Director

6. [Read, by title only, and adopt Ordinance No. XXX N.S. amending Section 21.22.035C of the Municipal Code to provide a Parking Code time extension/amendment to December 31, 2005.](#) (In 1994, the parking code was amended to permanently "grandfather" the use of existing buildings that existed as of 1992 and also to temporarily reduce the requirement for off-street parking for new development in the downtown area. The Planning Commission was also authorized to exempt certain land uses that would be consistent with the City's Economic Development Strategy from providing any off-street parking. These incentives were in place until 1998 and were then extended an additional five years. That incentive for downtown investment is now scheduled to expire December 31, 2003, unless further extended by action of the Council.) 1ST READING DECEMBER 2, 2003
R. Lata, Community Development Director
7. [Extend the duration of the ad hoc committee to work with Community Development and Public works Department staff on traffic capacity and design issues relating to the Highway 46 West / 101 Interchange to September 21, 2004.](#) (The Committee is still needed to assist in evaluating alternative means of addressing the constraints of this interchange.)
R. Lata, Community Development Director
8. [Extend the duration of ad hoc committee to review the Salinas River outreach and mapping project \(Salinas River Corridor Plan\) to December 21, 2004. \(The outreach effort is still in its early stages of process and plan formation. Staff recommends that the Committee be retained to participate in the budget and product formulation process, as well as potential focus group participation.\)](#)
M. Williamson, Assistant to the City Manager
9. [Extend the duration of the ad hoc committee to review the Airport Master and Land Use Plans drafts to April 20, 2004.](#) (Work on the Airport Master and Land Use Plans remains in draft and may need further review.)
J. Deakin, Public Works Director
10. [Close out the ad hoc committee to guide staff in developing a public education and outreach program for the Landscape and Lighting District aimed at improving actual service quality and perceived value for the service.](#) (The work of the committee is complete.)
J. Deakin, Public Works Director
11. [Adopt Resolution No. 03-xx authorizing budget appropriation of \\$700,000 for the Union/46 Specific Plan 7-acre park site purchase and voiding an appropriation of \\$550,000 for a school site within the same plan area.](#) (This action brings the City's 2003/2004 Budget into alignment with previous action to purchase the park site located in the Montebello housing project.)
M. Williamson, Assistant to the City Manager
12. [Adopt Resolution No. 03-xx approving request to extend hours for the closure of 11th Street for the Country Farm and Craft Market.](#) (In August, Council approved the closure of a portion of 11th Street for the Market on Saturdays from 7:30 a.m. to 12:45 p.m. Council is being petitioned to expand the hours to begin at 7:00 a.m. and end at 1:00 p.m. to allow additional time for vendors to set up and take down their exhibits.)
R. Lata, Community Development Director
13. [Adopt Resolution No. 03-xx accepting the recordation of Parcel Map PR 03-005.](#) (Applicants: Ken and Jacqueline Lerno. Property is a two-lot residential subdivision located at 155 Fairview Lane. All conditions imposed by the Planning Commission have been satisfied.)
R. Lata, Community Development Director

14. [Adopt Resolution No. 03-xx accepting the recordation of Parcel Map PR 03-0197.](#) (Applicant: East Village Associates, LLC. Property is a 7-parcel commercial subdivision located at the northwest corner of Sherwood and Creston Roads. All conditions imposed by the Planning Commission have been satisfied.)
R. Lata, Community Development Director
15. [Adopt Resolution No. 03-xx \(1\) accepting the recordation of Tract 2369-3; and \(2\) approving the Subdivision Improvement Agreement guaranteeing the construction of the subdivision improvements, with an established deadline of December 16, 2004 to complete these improvements, and authorizing the Mayor to execute the Agreement; and adopt Resolution No. 03-xx annexing Tract 2369-3 into the Landscape and Lighting District.](#) (Applicant: Fallingstar Homes, Inc. Property is a 62-lot subdivision of a 48.51-acre site located along the north side of Montebello Oaks Drive and the extension of Kleck Road. All conditions imposed by the Planning Commission have been satisfied except for the construction of the public improvements. Payment and Performance Bonds have been submitted and placed on file in the office of the City Engineer and applicants have signed a petition and voted in favor of annexation into the Landscape and Lighting District.)
R. Lata, Community Development Director
16. [Adopt Resolution No. 03-xx accepting the public improvements of Tract 2430 into the City's maintenance system and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \\$12,153.](#) (Applicant: Terrabella ABD, LLC. Subdivision is located at the southwest corner of Bella Vista Court and Arciero Way. All public improvements required as Conditions of Approval have been constructed in compliance with the improvement plans and applicable City Standards.)
R. Lata, Community Development Director

ROLL CALL VOTE

DISCUSSION

17. [Award Contract – Vulnerability Assessment of the Water System](#)
J. Deakin, Public Works Director
Consider awarding a contract to Risk Management Professionals to prepare a Vulnerability Assessment of the City's water system. (In accordance with the Bioterrorism Response Act of 2002, the City is required to prepare a Security Vulnerability Assessment of the City's water system. In September 2003 staff issued a Request for Proposal to twelve companies. Six responded to the RFP. Following review by staff and the ad hoc committee comprised of Mayor Frank Mecham and Councilmember Heggarty of the two most comprehensive proposals submitted, it was concluded that the assessment should be prepared by a firm specializing in security systems.)
OPTIONS:
- a. (1) Adopt Resolution No. 03-xx authorizing the City Manager to enter a contract with Risk Management Professionals to prepare a Vulnerability Assessment of the City's Water System in the amount of \$19,925; and
 - (2) Dissolve the ad hoc committee formed in November 2003 to review the two top firms responding to the Vulnerability Assessment RFP.
 - b. Amend, modify or reject any of the above option.

ROLLCALL VOTE

18. [Barney Schwartz Park Concession Operation Ad Hoc Committee Report](#)

B. Partridge, Library & Recreation Services Director

Consider recommendations of the ad hoc committee to contract with NCI Affiliates for concession operations at Barney Schwartz Park (BSP). (Requests for Proposals were solicited for concession operations at BSP. Only one proposal was received. Council's ad hoc committee comprised of Councilmembers Picanco and Nemeth reviewed the proposal and considered other options for concession operations at the Park.)

OPTIONS:

- a. **(1)** Direct staff to enter into a contractual agreement with NCI Affiliates for concession operations at Barney Schwartz Park; and
- (2)** Dissolve the ad hoc committee formed in November 2003 to consider options for concession operations at the Park.
- b. Amend, modify or reject any of the above option.

ROLLCALL VOTE

19. [Commissioned Art in Children's Play Area of the 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.) CONTINUED FROM NOVEMBER 18, 2003

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.

ROLLCALL VOTE

CITY MANAGER

20. [Schedule Date for Applicant Interviews/Appointments - Project Area Committee](#)

J. App, City Manager

Select date for conducting interviews and making appointments for vacancies on the Project Area Committee.

5 vacancies:

Four 3-year regular terms expiring December 31, 2006 and One partial regular term expiring December 31, 2004, to complete vacated term following Douglas Card resignation.

7 applicants:

| | |
|-------------------|--------------------------|
| Robert M. Burgess | Pat Crawford (incumbent) |
| David H. Hanush | Norma Duncan (incumbent) |
| Tom M. Lewis | Matt Masia (incumbent) |
| Rand A. Salke | |

VOICE VOTE

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

21. [Sewer & Water User and Impact Fee Updates Ad Hoc Committee](#)

M. Compton, Administrative Services Director

Consider appointing an ad hoc committee to review sewer & water user and impact fees. (In December 2001, Council approved modified sewer & water user and impact fees. The adopting resolution and ordinance provided that the fees would be reviewed every two years.)

OPTIONS:

- a. Appoint a two-member ad hoc committee to review sewer & water user and impact fees, and report back to the full Council by February 19, 2004.
- 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.

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CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

a. Conference with Legal Counsel – Existing Litigation

Subdivision (a) of Government Code §54956.9

San Luis Obispo Tribune, a division of Monterey Newspapers, Inc. (Plaintiff) vs. City of El Paso de Robles (Defendants)

Case No. CV 000591

b. Conference with Legal Counsel – Existing Litigation

Subdivision (a) of Government Code §54956.9

City of Paso Robles (Plaintiff) vs. Walter and Donna Heer, et al (Defendants)

Case No. CV 03-0657

ADJOURNMENT: to THE REGULAR CITY COUNCIL MEETING AT 7:30 PM ON TUESDAY, JANUARY 6, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR
COUNCIL MEETING IS DECEMBER 24, 2003***