

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, February 17, 2004 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

1. **Briefing on, and Confirmation of, Continuing Local Emergency**

J. App, City Manager

Receive verbal briefing on status of emergency and community recovery. Consider approving a resolution to continue local emergency. (State law requires Council to review the need for continuing the local emergency at its regularly scheduled meetings until the local emergency is terminated. Council is required to proclaim the termination of the local emergency "at the earliest possible date that conditions warrant.")

OPTIONS:

- a. Adopt Resolution No. 04-xx determining that a local emergency continues to exist.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

PUBLIC HEARINGS - None

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

DISCUSSION

2. **Refinance 1993 Capital Facilities Certificates of Participation**

M. Compton, Administrative Services Director

Consider approving various documents to refinance the 1993 Capital Facilities Certificates of Participation. Documents to be approved include the Site Lease, Lease Agreement, Trust Agreement and the Preliminary Official Statement. (In July 2003, Council authorized staff to proceed with refinancing if the projected cash savings were \$425,000 or greater. Refinancing savings are projected to be \$440,000.)

OPTIONS:

That the COUNCIL take the following action:

- a. Adopt Resolution No. 04-xx approving issuance and sale of Certificates of Participation and approving related documents and action.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE (CITY COUNCIL)

That the PUBLIC FINANCING AUTHORITY take the following action:

- a. Adopt Resolution No. PFA 04-xx approving issuance and sale of Certificates of Participation and approving related documents and action.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE (PUBLIC FINANCING AUTHORITY)

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 3 – 11 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

3. [Approve City Council minutes of January 6, 12, and 30, 2004.](#)
D. Fansler, City Clerk
4. [Approve Warrant Registers: Nos. 45549* – 45687 \(1/30/04\) and 45688 – 45824 \(2/6/04\). * Warrant No. 45548 not issued](#)
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:
[Citizens Airport Advisory Committee meeting of December 10, 2003](#)
6. [Adopt Resolution No. 04-xx accepting the Irrevocable and Perpetual Offers of Dedications for landscape and water main easements on Lots 7, 8, 9 and 11 of Tract 2296.](#) (Tract is located on Signora Rosa Court; easements along the northerly extension of Prospect Avenue, north of Mesa Road.)
R. Lata, Community Development Director
7. [Adopt Resolution No. 04-xx accepting the public improvements of Tract 1771-5 into the City's maintenance system.](#) (Applicant: Ennis-Langdon Homes, Inc. Subdivision is located along Brahma and Angus Streets, north of Charolais Road. All public improvements have been constructed in compliance with the improvement plans and applicable City Standards.)
R. Lata, Community Development Director
8. [Adopt Resolution No. 04-xx accepting the Irrevocable and Perpetual Offer of Dedication for a 12-foot wide easement for public road purposes adjacent to the west side of Union Road along the property known as 1781 Union Road.](#) (Offerors: Jeffrey and Charla Zukowski. This dedication of easement does not affect the owner's ability to reasonably develop and use the subject property, where they have constructed a single family residence.)
R. Lata, Community Development Director

9. [Direct staff to perform pre-construction compliance of the mitigation requirements for the 13th Street Bridge Widening Project, removing several trees \(including a 30-inch diameter oak tree\) as shown on Exhibit A.](#) (On December 17, 2002, Council adopted the Final Mitigated Negative Declaration for this project, which identified the need to remove several trees. The first phase of work is to widen the bridge within the Salinas River channel and requires that the trees be removed at the northwest quadrant.)
M. Williamson, Interim Public Works Director
10. [Adopt Resolution No. 04-xx approving a change in hours for Tuesday's Farmers' Market to 10:00 a.m. to 1:00 p.m.](#) (Applicant: North County Farmers' Market Association [NCFMA]. NCFMA finds morning hours make a more successful market due to cooler temperatures in the summer and daylight hours in the winter.)
M. Williamson, Interim Public Works Director
11. [Extend Sewer & Water User and Impact Fee Update ad hoc committee's assignment to June 1, 2004.](#) (The committee has not completed its assignment.)
J. Deakin, Public Works Director

ROLL CALL VOTE

DISCUSSION

12. [Building and Planning Permit Fee Waivers](#)

R. Lata, Community Development Director

Consider a special fee schedule for earthquake related fees that would apply to either Building or Planning permits / approvals. (The special fees schedule is intended to facilitate recovery of quake damaged properties and would be retroactive to December 22, 2003. This fee schedule would remain in effect until June 1, 2004.)

OPTIONS:

- a. Adopt Resolution No. 04-xx authorizing a temporary fee schedule for Building and Planning Permit and Application fees that are directly related to responding to the earthquake of December 22, 2003. The fee schedule would apply to complete applications filed through June 1, 2004, and would be retroactive to December 22, 2003.
- b. Amend, modify or reject any of the above option.

ROLL CALL VOTE

13. [Determination of Significance, Modification to Historic Structure at 1245 Park Street \(Old Bank of America Building / Ali Salmanzadeh\)](#)

R. Lata, Community Development Director

Consider determining that proposed modifications to the subject property to address earthquake related damage would not be a significant alteration under California Public Resources Code Section 5028. (Owner is requesting that an area on the east façade of the subject building be permitted to be in stucco, similar to what was approved for the north façade.)

OPTIONS:

- a. Conclude that the proposed building modifications to the Park Street (eastern façade) are generally consistent with the stucco treatment that already exists and has been approved for the 13th Street (north-side) façade and authorize staff to take necessary steps to facilitate the required steps to allow the building to be repaired as recommended by the property owner's structural engineer.
- b. Amend, modify or reject any of the above option.

ROLL CALL VOTE

14. Professional Quake Assistance – Kermani Consulting Group

M. Compton, Administrative Services Director

Consider retaining outside professional expertise in dealing with quake issues and Federal Emergency Management Administration (FEMA). (The declaration of a federal disaster by President Bush for the San Simeon Quake provides the means for the City to be reimbursed by FEMA for repairs to public facilities and emergency response expenditures. Preparation of proper damage documentation and reimbursement requests is complex and requires a large time commitment. Professional assistance would improve the City's ability for maximizing potential FEMA reimbursement.)

OPTIONS:

- a. Adopt Resolution No. 04-xx approving a consulting services agreement with Kermani Consulting Group and a budget appropriation for \$20,000.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

15. Comprehensive Annual Financial Report

M. Compton, Administrative Services Director

Presentation of the Comprehensive Annual Financial Report for fiscal year ending June 30, 2003, for City Council consideration.

OPTIONS:

- a. Receive and file the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2003.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

16. 2004 Annual Street Maintenance

M. Williamson, Interim Public Works Director

Consider a recommendation from the Streets and Utilities Committee for the 2004 Annual Street Maintenance Program. (The Streets and Utilities Committee considered three scenarios regarding the utilization of \$550,000 in street maintenance funds for 2004 and are recommending Scenario 3, which specifies portions of Airport Road, Golden Hill Road, Melody and the intersection of Creston and Meadowlark.)

OPTIONS:

- a. Accept the recommendation from the Streets and Utilities Committee and direct staff to perform the 2004 Annual Street Maintenance work under Scenario 3 as outlined in the staff report.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

17. Municipal Pool Changing Room Project

B. Partridge, Library and Recreation Services Director

Consider approving a change order and appropriating additional funds for the Municipal Pool Changing Room Project. (In 2001, 2002, and 2003, the City obtained Community Development Block Grant funds to perform construction at the Municipal Pool Changing Room. In January 2004, Council awarded the construction bid to low bidder Newton Construction & Management, Inc. Bid additives were included as part of the bid process to complete rehabilitation of the roof if funding was available.)

OPTIONS:

- a. Adopt Resolution No. 04-xx:
 - (1) Approving a Change Order to Newton Construction & Management, Inc. to complete the roof rehabilitation work in the amount of \$26,850; and
 - (2) Appropriating an additional \$27,000 to the Municipal Pool Changing Room Project from Fund 119.000.4713.184.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

18. Street Lights on Dallons Drive

R. Lata, Community Development Director

Cuesta College does not have adequate funds in their budget to provide street lights along Dallons Drive [in conjunction with their new permanent building construction]. It is proposed that \$30,000 in Measure D funds be allocated to purchase and install six light standards.
CONTINUED FROM JANUARY 20, 2004

OPTIONS:

- a. (1) Authorize the Mayor to sign the attached Reimbursement Agreement; and
 - (2) Adopt Resolution No. 04-xx authorizing the transfer of \$30,000 from Budget Account No. 130-910-5452-508 to 130-910-5452-528 to provide funds for installation of six (6) new light standards along Dallons Drive.
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE

19. Bus Stop Improvements – Red Curbing

M. Williamson, Interim Public Works Director

Consider approving parking restrictions (new or extended) at various City bus stops. (Concerns have been raised regarding insufficient space at certain red curbed bus stops along Routes A & B. Existing red curbing at certain stops could be extended where vehicular parking is a problem or where the red curb is too short. The Transit Advisory Committee recommends that existing red curbing be extended only in problem locations. The Street and Utilities Committee voted 2-0 to approve parking restrictions, with the added option of changing all bus stop curbing to 55 feet of white curb with black lettering stating “Passenger Loading and Unloading Only.”)

OPTIONS:

- a. Adopt Resolution No. 04-xx approving a standard of 55 feet of white curb with black lettering stating “Passenger Loading and Unloading Only” for all City Bus Stops.
- b. Adopt Resolution No. 04-xx approving parking restrictions (red curb, new or extended) at the ten (10) City bus stops recommended in the staff report.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

20. Alley between 10th and 11th Streets at Pine Street

M. Williamson, Interim Public Works Director

Consider designating the alley between 10th and 11th Streets, from Park Street to Pine Street, as one-way from east to west. (One-way travel in this alley alleviates the concern of traffic exiting the alley on Pine Street and encountering pedestrian or vehicular traffic. The Street and Utilities Committee recommends approval of this one-way designation.)

OPTIONS:

- a. Adopt Resolution No. 04-xx designating the alley between 10th and 11th Streets from Park Street to Pine Street as one-way travel from east to west.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

21. Parking Restrictions at the Intersection of 10th and Pine Streets

M. Williamson, Interim Public Works Director

Consider parking restrictions (red curb) on the northeast corner of the intersection of 10th and Pine Streets. (The intersection of 10th Street at Pine has four corners with handicap ramp access to the street [which prohibits parking near the corners]. Three of the four corners also have other features that inhibit parking. The site line on the remaining corner can be improved with the installation of red curbing. The Streets and Utilities Committee voted 2-0 to recommend approval of the parking restrictions at this corner.)

OPTIONS:

- a. Adopt Resolution No. 04-xx approving parking restrictions on 10th Street from the northeast corner handicap ramp extending eastward 20 feet.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

22. Parking Restrictions on Nicklaus Drive at Niblick Road

M. Williamson, Interim Public Works Director

Consider parking restrictions (red curb and signage) on the southeast side of Nicklaus Drive from Gardenia Circle to Niblick Road. (The presence of parked cars on the east side of Nicklaus Drive from the Alder Creek condominiums' entrance to the intersection of Nicklaus and Niblick block the newly installed right turn lane. This corner does not have sight line challenges, but is not wide enough to accommodate both curbside parking and a dedicated turn lane. The Streets and Utilities Committee voted 2-0 to recommend parking restrictions at this location.)

OPTIONS:

- a. Adopt Resolution No. 04-xx creating a "No Parking" zone on Nicklaus Drive from Gardenia Circle to the intersection at Niblick Road.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

23. Parking Restrictions on Appaloosa Drive and Niblick Road

M. Williamson, Interim Public Works Director

Consider parking restrictions (red curb) on Appaloosa Drive and Niblick Road near their intersection. (The Paso Robles Unified School District has requested that a section of curb on both sides of Appaloosa Drive at Niblick Road, be changed to a red "No Parking" area. Red curbing on both corners would maximize usable road width, open up sight lines and could improve safety of the intersection during times of heavy use. The Streets and Utilities Committee was divided in their support for these parking restrictions.)

OPTIONS:

- a. Adopt Resolution No. 04-xx approving parking restrictions on the west side of Appaloosa Drive beginning at the northeast corner of Niblick Road, extending north 90 feet; and on the east side of Appaloosa Drive beginning at the northwest corner of Niblick Road, extending north 90 feet.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

24. Council Advisory Bodies, Boards & Commission Bylaws

J. App, City Manager

Consider standard bylaws for all City Council advisory bodies, boards and commissions. (The proposed bylaws incorporate Council policy and have been reviewed by legal counsel and the Council's advisory bodies. The bylaws address membership requirements, conflict of interest rules, meeting protocol, and Council communication practices. The bylaws are adaptable to each body's unique function and authority.)

OPTIONS:

- a. Adopt standard bylaws as set forth in Exhibit 2 and as amended per the staff report.
- b. Amend, modify or reject the above option.

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 - None

ADJOURNMENT: to THE DOWNTOWN VISION WORKSHOP AT 7:00 PM ON THURSDAY, FEBRUARY 19, 2004, AT THE PASO ROBLES INN, 1103 SPRING STREET; TO THE CALIFORNIA MID-STATE FAIR AWARDS DINNER AT 6:30 PM ON FRIDAY, FEBRUARY 20, 2004, AT THE PAVILION AT THE FAIR GROUNDS; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, MARCH 2, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR
COUNCIL MEETING IS FEBRUARY 20, 2004***