

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, March 2, 2004 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

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

2. **Demolition Permit No. 04-004 (Former Joshua's – Applicant: Heritage Oaks Bank)**

R. Lata, Community Development Director

Continue the noticed public hearing to consider a demolition permit for improvements located at 500 13<sup>th</sup> Street (former Joshua's). (Applicant has requested that hearing be continued to March 16, 2004.)

**OPTIONS:**

- a. Continue the open noticed hearing regarding the subject demolition permit to March 16, 2004.
- b. Amend, modify or reject any of 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 3 – 12 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

3. **Approve City Council minutes of February 3 and 17, 2004.**

D. Fansler, City Clerk

4. [Approve Warrant Registers: Nos. 45825 – 45993 \(2/13/04\) and 45994 – 46100 \(2/20/04\)](#)  
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:  
[Library Board of Trustees meeting of January 8, 2004](#)  
[Parks & Recreation Advisory Committee meeting of January 13, 2004](#)  
[Senior Citizen Advisory Committee meeting of January 12, 2004](#)  
[Youth Commission meeting of January 7, 2004](#)
6. [Proclamation Red Cross Month – March 2004](#)  
F. Mecham, Mayor
7. [Proclamation Absolutely Incredible Kid Day – March 18, 2004](#)  
F. Mecham, Mayor
8. [Adopt Resolution No. 04-xx accepting the public improvements of Tract 2296 into the City's maintenance system.](#) (Applicant: Republic Properties. This subdivision is located on Signora Rosa Court, north of Mesa Road. 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
9. [Adopt Resolution No. 04-xx annexing Oak Park Senior Housing PD 02-018 into Landscape and Lighting District No. 1](#) (Applicant: Paso Robles Nonprofit Housing Corp. This project is a 40 unit apartment complex for low-income seniors, located on the northeast corner of 28<sup>th</sup> and Park Streets. PD 02-018 was originally approved by the Planning Commission with the condition that the property annex into the Landscape and Lighting District.)  
R. Lata, Community Development Director
10. [Adopt Resolution No. 04-xx accepting the public improvements of Tract 2404 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 \\$18,611.](#) (Applicant: Oak Creek Commons. This subdivision is located on Nicklaus Drive, south of Niblick Road and west of Rambouillet Road. All public improvements [with the exception of the seal coat and new striping of Nicklaus Drive] required as Conditions of Approval have been constructed in compliance with the improvement plans and applicable City Standards.)  
M. Williamson, Interim Public Works Director
11. [Adopt Resolution No. 04-xx awarding a construction contract in the amount of \\$73,096.78 to repair earthquake damages at Centennial Park to Newton Construction Company.](#) (Bid proposals for this project were solicited and five proposals were received. The low bid submitted by Newton Construction Company was reviewed and found to be a responsive bid.)  
M. Williamson, Interim Public Works Director
12. [Approve a Special Events request from the North County Cloud Clippers \(a local radio controlled model aircraft club\) to utilize a portion of the Municipal Airport to host an open house/airmeet Airport Day 2004 on Saturday, September 11, 2004.](#) (The Airport hosts a number of aviation fly-ins and special events each year as part of its on-going promotional effort. The Airport Advisory Committee reviewed the request from the Cloud Clippers at their January 22<sup>nd</sup> meeting and recommends approving the request.)  
M. Williamson, Interim Public Works Director

#### **ROLL CALL VOTE**

## DISCUSSION

13. **Request for a Temporary Use Permit to Use a Recreational Vehicle as a Temporary Residence in Conjunction with a Building Permit (Cromwell)**

R. Lata, Community Development Director

Consider approving the occupation of a recreational vehicle parked in the 1400 block of Chestnut Street in conjunction with a building permit issued to shore up a structure at 305 14<sup>th</sup> Street. (Applicant: Vickie Cromwell. Vehicle is parked in the public right-of-way along the Chestnut Street frontage of applicant's property.)

**OPTIONS:**

- a. Subject to the property owner meeting code requirements and obtaining a building permit for their shoring plan, that the City Council authorize Vickie Cromwell to utilize a recreational vehicle parked in the Chestnut Street right-of-way as a temporary residence in conjunction with a valid building permit for a maximum period of 180 days, consistent with Section 21.23C.040I, conditioned upon the Cromwells removing all unauthorized storage from the public right-of-way and subject to confirmation from the Chief of Emergency Services and Building Official that all applicable codes are complied with relative to use of the recreational vehicle.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

14. **Golden Hill Road Water Reservoirs Earthquake Repairs**

M. Williamson, Interim Public Works Director

Consider approving the preparation of bid documents to repair the Golden Hill Road water reservoirs, which were damaged as a result of the San Simeon earthquake. (Each of the City's two 4-million gallon steel reservoirs sustained damage in the San Simeon earthquake.)

**OPTIONS:**

- a. Direct staff to initiate the repairs to both reservoirs by authorizing the City Manager to engage the services of Boyle Engineering to prepare the construction documents for the repair of both tanks for a not-to-exceed fee of \$90,200.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

15. **21st Street (Westside) Reservoir**

M. Williamson, Interim Public Works Director

Provide direction regarding the future operation and function of the 80-year old 21<sup>st</sup> Street reservoir. (In November 2003, Council authorized staff to prepare an evaluation study of the reservoir and present options for repairs.)

**OPTIONS:**

- a. Determine that the existing 21<sup>st</sup> Street reservoir has reached the end of its service life and direct staff to initiate steps to design and construct two new 4-million gallon concrete tanks at this location.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**16. Water Conservation/Rationing Plan - Summer 2004**

M. Williamson, Interim Public Works Director

Consider authorizing a Water Conservation/Rationing Plan for late spring and summer 2004. (During the December 22, 2003, earthquake, the City lost use of one of its above ground 4-million gallon storage tanks. The loss of storage capacity will persist through the summer 2004, thereby constituting an operational urgency to conserve 25% of the City's normal summertime water demand.)

**OPTIONS:**

- a. Adopt Resolution No. 04-xx:
  - (1) Implementing the City's Water Conservation Plan; and
  - (2) Authorizing the City Manager to execute an agreement with Barnett, Cox & Associates for water conservation material.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**17. Mineral Hot Springs Project**

M. Williamson, Interim Public Works Director

Report of progress and plans to examine options for the Library/City Hall mineral hot springs. (Following the December 22, 2003, earthquake, a mineral hot spring ruptured underground and surfaced onto the parking lot. The City's engineers and outside experts have developed a three-track plan to further evaluate, use and/or mitigate the spring.)

**OPTIONS:**

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

**ROLL CALL VOTE**

18. **Mitigated Negative Declaration for Airport Test/Production Water Well and Pipeline**

R. Lata, Community Development Director

Consider approval of a Mitigated Negative Declaration for the development of a test/production water well and connecting pipeline. (The proposed well would be located on Airport property approximately 100 feet south of Tower Road and approximately 1.1 mile east of Airport Road. The pipeline would be approximately 1 mile in length and will connect the well to an existing pipeline near the CDF facility.)

**OPTIONS:**

- a. Adopt Resolution No. 04-xx approving a Mitigated Negative Declaration for the Airport test/production water well and pipeline project.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

19. **Enforcement of Removal of Illegal Signs**

R. Lata, Community Development Director

Provide direction to staff regarding enforcement of codes related to illegal signs. (Due to the proliferation of illegal signs, most of which are related to real estate activity, enforcement priorities and options need to be addressed.)

**OPTIONS:**

- a. Direct staff to forward a letter to the Board of Realtors seeking their cooperation and assistance in enforcing the City's sign codes, with the understanding that if they are not successful in obtaining voluntary compliance from their members that the City's Police Department will undertake active enforcement measures.
- b. Amend, modify or reject the foregoing option.

**ROLL CALL VOTE**

20. **Development Impact Fee Update**

R. Lata, Community Development Director

Consider an amendment to the contract with David Taussig & Associates to prepare an update of the City's Development Impact Fees. (David Taussig & Associates are contracted to prepare the City's Community Facilities District [CFD], one of the steps necessary to ensure fiscal neutrality called for in the new General Plan. Updating the City's Development Impact Fee schedule is another of the General Plan implementation steps. By having Taussig prepare both the CFD and Development Impact Fee update, the City can better coordinate the scope of work.)

**OPTIONS:**

- a. Authorize the City Manager to enter into an addendum to the current scope of work with David Taussig & Associates to undertake the update of the Development Impact Fees at a not-to-exceed contract amount of \$38,000.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

**CITY MANAGER** - None

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION** - None

**AD HOC COUNCIL BUSINESS**

**21. [Seismic Safety Ordinance Update - Ad Hoc Committee](#)**

R. Lata, Community Development Director

Consider appointing an ad hoc committee to review and consider an update to the current seismic safety retrofit requirements.

**OPTIONS:**

- a. Appoint a two-member ad hoc committee to address issues relating to an update to the current seismic safety retrofit requirements, and report back to the full Council July 3, 2004.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

**22. [Oak Park Specific Plan - Ad Hoc Committee](#)**

R. Lata, Community Development Director

Consider appointing an ad hoc committee to formulate scope of the specific plan and work with members of the Nonprofit Housing Corp. to develop a viable long-term plan for the Oak Park area.

**OPTIONS:**

- a. Appoint a two-member ad hoc committee to address issues relating to future development in the Oak Park area, and report back to the full Council September 7, 2004.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

**23. Development Standards for Mixed-Use, High-Density Multi-Family and Senior Housing Projects - Ad Hoc Committee**

R. Lata, Community Development Director

Consider appointing an ad hoc committee to address issues relating to an update to the current development standards for Mixed-Use, High-Density Multi-Family, and Senior Housing Projects.

**OPTIONS:**

- a. Appoint a two-member ad hoc committee to address issues relating to an update to the current development standards for Mixed-Use, High-Density Multi-Family, and Senior Housing Projects, and report back to the full Council September 7, 2004.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

**24. Barney Schwartz Concession Stand Operations – Ad Hoc Committee**

B. Partridge, Library & Recreation Services Director

Consider appointing an ad hoc committee to review options for Barney Schwartz Park concession operations.

**OPTIONS:**

- a. Appoint a two-member ad hoc committee to review options for Barney Schwartz Park concession operations, and report back to the full Council by April 6, 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.

**CLOSED SESSION** - None

**ADJOURNMENT:** to THE REGULAR MEETING AT 7:30 PM ON TUESDAY, MARCH 16, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

#### FUTURE MEETINGS

- Downtown Vision Workshop at 7:00 p.m. on Thursday, March 4, 2004, at the Paso Robles Inn, 1103 Spring Street, Paso Robles
- 2004 CDBG Funds Hearing at 7:00 p.m. on Thursday, March 11, 2004, at the Library/City Hall Conference Center, 1000 Spring Street
- Seismic Safety Commission meeting 3:00 p.m. – 6:30 p.m. on Thursday, March 11, 2004, at the Paso Robles Inn, 1103 Spring Street, Paso Robles
- Hearing on the San Simeon Earthquake (a Seismic Safety Commission meeting) 9:00 a.m. – 7:00 p.m. on Friday, March 12, 2004, at the Paso Robles Inn, 1103 Spring Street, Paso Robles
- Chamber of Commerce Dinner at 6:00 p.m. on Saturday, March 13, 2004, at the Pavilion Building at the Mid-State Fair Grounds, Paso Robles

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR  
COUNCIL MEETING IS MARCH 5, 2004***