

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 16, 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 - None

## PUBLIC HEARINGS

1. **Determination of Historic or Architectural Significance of a Commercial Building at 500 13<sup>th</sup> Street; and a Request to Process a Pending Demolition Permit Application (Former Joshua's – Applicant: Heritage Oaks Bank)**

R. Lata, Community Development Director

Consider making a determination of historic or architectural significance of a building proposed for demolition and authorizing a demolition permit. (Building is located at the southeast corner of 13<sup>th</sup> and Vine Streets. Although the subject building is in the City's Historic Resources Inventory and the State's Historic Properties Directory, it is not on any local or State Register of historic structures.) CONTINUED FROM MARCH 2, 2004

### OPTIONS:

- a. Determine to (1) approve a Negative Declaration, pursuant to the requirements of the Guidelines for implementing the California Environmental Quality Act (CEQA), and (2) direct that the demolition permit application be processed. Any replacement structure will be the subject of a future Planned Development application and would be subject to whatever public policy requirements as may apply at the time of a request for a project approval.
- b. Amend, modify, or reject any of the above option.

### ROLL CALL VOTE

2. **Rezone 03-007 and Borkey Area Specific Plan Amendment 03-005 (Arciero & Sons, Inc.)**

R. Lata, Community Development Director

Consider establishing a Resort/Lodging Overlay over the property site for the La Quinta Hotel project and amending the Borkey Area Specific Plan (BASP) to indicate this Overlay. (Project site is located at the northeast corner of Highway 46 East and Buena Vista Drive. The Planning Commission has approved the development plan and associated Negative Declaration for this project and recommended that Council approve the Rezone and BASP Amendment.)

### OPTIONS:

- a. By separate motions:
  - (1) Adopt the Ordinance No. XXX N.S. approving Rezone 03-007, including a finding that the Mitigated Negative Declaration adopted by the Planning Commission is adequate and there is no action necessary by the City Council ), and set April 6, 2004, as the date for adoption of said Ordinance; and

- (2) Adopt Ordinance No. XXX N.S. approving that the Borkey Area Specific Plan (SPA 03-005) be amended to allow hotel and restaurant uses on the subject site within Sub Area D of the Plan, including a finding that the Mitigated Negative Declaration adopted by the Planning Commission is adequate and there is no action necessary by the City Council; and set April 6, 2004, as the date for adoption of said Ordinance. (A follow up to the BASP will be required to address the adjustment to the BASP fees.)

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

#### **ROLL CALL VOTE**

### **3. Street Abandonment 03-003 (Leland Street, Bernstein)**

R. Lata, Community Development Director

Consider abandoning a portion of Leland Street between Blackburn Street and 150 feet southwest of Blackburn. (Applicants: Mel Bernstein and Robert Bell Applicants desire to develop the adjacent parcel with a single family residence, and the Planning Commission recommends approval of the abandonment request.) CONTINUED FROM MARCH 2, 2004

#### **OPTIONS:**

- a. Adopt Resolution No. 04-xx to abandon a portion of Leland Street, a 40-foot right-of-way from Blackburn Street to 150 feet southwest of Blackburn Street, and retain a public drainage easement over the southwesterly 50 feet of the right-of-way, as shown on Exhibit A and as requested by the adjacent property owners.
- 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 4 – 15 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

4. [Approve City Council minutes of March 2, 2004.](#)  
D. Fansler, City Clerk
5. [Approve Warrant Registers: Nos. 46101 – 46254 \(2/27/04\) and 46255 – 46464 \(3/5/04\)](#)  
M. Compton, Administrative Services Director
6. [Receive and file Advisory Body Committee minutes as follows:](#)  
[Citizens Airport Advisory Committee meeting of January 22, 2004](#)

7. [Adopt Resolution No. 04-xx proclaiming the termination of a local emergency.](#) (Conditions of peril to the safety of persons and property arose within the City as a result of the San Simeon earthquake on December 22, 2003. Pursuant to Government Code section 8630, conditions of extreme peril no longer exist to warrant continuing the local emergency and Council is to proclaim the termination of the local emergency.)  
J. App, City Manager
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.) CONTINUED FROM MARCH 2, 2004  
R. Lata, Community Development Director
9. [Adopt Resolution No. 04-xx accepting the recordation of Parcel Map PR 03-0141.](#) (Applicants: Charles and Guyla Adams. Project is a 2-lot residential subdivision located at 715 Ivy Lane. The Planning Commission tentatively approved the Parcel Map on August 26, 2003 and all imposed conditions have been satisfied.)  
R. Lata, Community Development Director
10. [Adopt Resolution No. 04-xx making findings pursuant to the California Environmental Quality Act \(CEQA\) regarding the Nacimiento Water Project.](#) (In January 2004, the SLO County Flood Control and Water Conservation District took action to certify a Final Environmental Impact Report, make findings of mitigation, and adopted a mitigation monitoring program for the Nacimiento Water Project. As a "Responsible Agency" under the provisions of the CEQA, the City needs to adopt findings that mirror those of the County.)  
R. Lata, Community Development Director
11. [Adopt Resolution No. 04-xx adding Donald Rodrigues to the City's Pre-approved Certified Arborist List.](#) (The City Municipal Code requires that a person who provides services as an arborist in the City must be certified by the Western Chapter of the International Society of Arboriculture [ISA] and must be on a list of certified arborists approved by the City Council.)  
R. Lata, Community Development Director
12. [Consider an extension of time to November 2, 2004, for the ad hoc committee formed to work with staff to address General Plan Housing Element policy issues.](#) (The committee has not yet completed its assignment.)  
R. Lata, Community Development Director
13. [Adopt Resolution No. 04-xx awarding a construction contract to repair earthquake damages at the Veterans Center and Senior Center to low-bidder Don Thiessen Construction in the amounts of \\$11,785 and \\$44,971, respectively.](#) (In response to a solicitation for bid proposals to perform earthquake repair work to both centers, 11 proposals were received, with Don Thiessen Construction submitting the lowest responsive bids.)  
M. Williamson, Interim Public Works Director
14. [Adopt Resolution No. 04-xx determining the inapplicability of San Luis Obispo County Zoning and Building Ordinances to the construction of the southeast water tanks.](#) (In 1984, the City annexed an approximate 5-acre property at the corner of Cumbre and Ladera. Construction of the southeast reservoir is exempt from SLO County Zoning and Building Ordinances pursuant to Government Code section 53091.)  
M. Williamson, Interim Public Works Director

15. [Adopt Resolution No. 04-xx awarding the Federal Aviation Administration \(FAA\) Roof Repair Project to James A. Quaglino, Inc. for \\$19,350.](#) (This project was originally bid in October 2003, with the single bid received coming in at \$44,734. In November 2003, Council rejected the bid and directed staff to revise and reduce the scope of work and reissue the bid documents. Only one responsive bid was received.)  
M. Williamson, Interim Public Works Director

**ROLL CALL VOTE**

**DISCUSSION**

16. [Draft Airport Master Plan and Land Use Plan](#)  
R. Lata, Community Development Director

Consider recommendations of the Planning Commission, Airport Advisory Committee, and Council ad hoc committee regarding the Draft Airport Master Plan and Land Use Plan. (The Airport Master Plan anticipates future expansion of Airport facilities in response to demand and the availability of Federal funding, and there is no firm schedule for the described improvements. The Airport Land Use Plan is intended to protect the long-term viability of the Airport, addressing safety and land use compatibility. The Airport Land Use Plan is forwarded to the County Airport Land Use Commission for adoption and the Airport Master Plan, after approval by the County Airport Land Use Commission, will come back to the City Council for final adoption.)

**OPTIONS:**

- a. Support the consistent recommendations of the ad hoc committee, the Airport Advisory Committee and the Planning Commission with regard to the City Council forwarding a copy of the Draft Airport Master Plan to the County Airport Land Use Commission for their review and comments, and the Draft Airport Land Use Plan to the County Airport Land Use Commission for their formal adoption. The recommended amendments to the draft documents are contained in Exhibit A of the staff report.
- c. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

17. [Draft Outline of Seismic Safety Ordinance Update](#)  
R. Lata, Community Development Director

Consider first steps toward updating the City's Seismic Safety Ordinance. (Current code requirements are based on 1987 codes and the current City seismic safety ordinance delays retrofit of most structures to 2018. In light of the safety hazard as demonstrated by the December 22, 2003, San Simeon earthquake, it is suggested that Council consider adoption of a retrofit standard that is based on the most recent adopted codes and has a maximum of two years for all unreinforced masonry buildings to be retrofitted. A proposal is pending to consider offering Community Development Block Grant funds for preparation of retrofit plans.)

**OPTIONS:**

- a. Authorize staff to circulate the Outline and DRAFT Code Amendment for public review and comment, including mailing copies to the owners of unreinforced masonry buildings; and set a 30 day period for public review. During that 30 day period, a public workshop would be scheduled to discuss the DRAFT Code Amendment. Council consideration of a Code Amendment would be tentatively scheduled for May 18, 2004.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**18. Follow-up to Downtown Vision Workshops**

R. Lata, Community Development Director

Provide direction to the Planning Commission and staff in follow-up to the Downtown Vision Workshops of February 19 and March 4, 2004.

**OPTIONS:**

- a. That the City Council consider all applicable input and determine:
  - (1) The current (1992) adopted Main Street Design Guidelines, combined with the forthcoming design standards for mixed-use development, should be adequate tools to address design proposals for reconstruction of demolished buildings in the downtown commercial area.
  - (2) All parking and circulation related recommendations should be referred to the Council's ad hoc Committee on implementing the adopted Downtown Parking and Circulation Action Plan;
  - (3) The balance of the input / recommendations / suggestions is to be referred to the Planning Commission with a request that the Commission review, comment and prepare a report on options.
  - (4) Authorize the Mayor to send letters to Tom Martin of the Paso Robles Inn thanking him for donating the use of the ballroom for the two workshops and to also send letters of appreciation to the San Luis Obispo County Council of Governments and Cal Poly for their support and participation in the two workshops.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**19. San Simeon Earthquake Emergency Response Report**

Ken Johnson, Emergency Services Chief

Receive report of emergency response activities and findings related to the San Simeon earthquake. (The City committed significant resources to the response phase immediately following the San Simeon earthquake on December 22, 2003. The adequacy of resources for this response is reviewed.)

**OPTIONS:**

- a. Receive and file the San Simeon Earthquake Emergency Response Report.
- b. Amend, modify or reject the above option.

**ROLL CALL VOTE**

**20. [Request to Remove Three Oak Trees – Black Ranch \(Masia\)](#)**

R. Lata, Community Development Director

Consider approving the removal of three oak trees from the Black Ranch property site. (Property is located on north side of Hwy. 46 East, opposite the Hunter Ranch Golf Course, and applicant is Matt Masia. In February, the Planning Commission recommended that the project not be redesigned around the trees, as this would likely result in impacts to oak trees that are in better condition. There are in excess of 1000 additional trees on the property.)

**OPTIONS:**

- a. Adopt Resolution No. 04-xx approving the request to remove the three (3) oak trees on the Black Ranch property, based on the site having over 1000 trees that would be preserved, and require a replacement ratio of 24-inches of Blue Oak trees to be planted in a location that is appropriate for the species of tree as determined by a horticulture professional (e.g., Blue Oaks should be planted in arid environment). Removal of the subject trees would be authorized in conjunction with a building permit for structures approved with PD 01-025.
- b. Amend, modify, or reject any of the above option.

**ROLL CALL VOTE**

**21. [Request for Water Well Use](#)**

R. Lata, Community Development Director

Consider authorizing the use of a private well for irrigation of a future golf course at Black Ranch Resort. (In February 2004, the Planning Commission approved Planned Development PD 01-025, which included a Site Specific Condition that golf course irrigation would be obtained by connection to the City water system unless Council specifically approved the use of private sources of water.)

**OPTIONS:**

- a. Adopt Resolution No. 04-xx approving the use of existing or new private wells by the Black Ranch Resort to irrigate future golf courses with the provision that the Black Ranch Resort, or successors in interest, connect to City –provided reclaimed water at such time said reclaimed water is available; or
- b. Adopt Resolution No. 04-xx approving the use of existing or new private wells by the Black Ranch Resort, or successors in interest, to irrigate future golf courses.
- c. Amend, modify, or reject the above options.

**ROLL CALL VOTE**

**22. City Standard for Orchard Bungalow Streets**

R. Lata, Community Development Director

Consider a standard for the development of new streets in the Orchard Bungalow Tract (a.k.a., El Dorado Estates). (In order to maintain the character of the Orchard Bungalow neighborhood, it is reasonable to establish a street standard that is consistent with existing right of way constraints and improvement patterns. A subdivision application on file cannot proceed without Council adoption of a street standard.)

**OPTIONS:**

- a. Adopt Resolution No. 04-xx establishing a standard for Orchard Bungalow streets as shown on Exhibit A of the staff report.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**23. City Standard for One-Way Residential Neighborhood Streets**

R. Lata, Community Development Director

Consider a standard for the development of one-way residential neighborhood streets. (An application for a subdivision of the Hanson property located east of South River Road, between the Serenade subdivision and the first phases of Deer Park. The proposed subdivision layout includes a public one-way street designed in a circular alignment. The City does not currently have a standard for a one-way street.)

**OPTIONS:**

- a. Adopt Resolution No. 04-xx establishing a standard for a one-way residential neighborhood street as shown on Exhibit A of the staff report.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**24. Mineral Hot Spring Mitigation – California Energy Commission Grant Applications**

M. Williamson, Interim Public Works Director

Consider filing California Energy Commission Geothermal Grant Applications to partially fund examination of various spring mitigation measures. (The City is expanding its efforts to address potential alternative beneficial uses and/or disposal and diversion options for the geothermal mineral water. These grants would provide a funding source for this critical endeavor.)

**OPTIONS:**

- a. (1) Adopt Resolution No. 04-XX authorizing the City Manager to appropriate up to \$14,880, in addition to in-kind matching funds of \$33,404, for a Geothermal Resource Assessment grant application with the California Energy Commission;
  - (2) Adopt Resolution No. 04-XX authorizing the City Manager to appropriate up to \$14,600, in addition to in-kind matching funds of \$35,097, for a Hot Spring Development/Well Installation grant application with the California Energy Commission;
  - (3) Adopt Resolution No. 04-XX authorizing in-kind matching funds up to \$11,305 for a Feasibility Study to Identify and Study Potential Hot Water Use grant application with the California Energy Commission;
  - (4) Adopt Resolution No. 04-XX authorizing in-kind matching funds up to \$8,707 for a Geothermal Spring Flow Mitigation grant application with the California Energy Commission.
- b. Amend, modify, or reject above option.

**ROLL CALL VOTE**

**25. 13<sup>th</sup> Street Bridge Widening – Communications Program**

M. Williamson, Interim Public Works Director

Consider a communications program for the 13<sup>th</sup> Street Bridge Widening Project. (The approved design concept for this project calls for widening the bridge to accommodate four travel lanes [two in each direction], two turn lanes, two bike lanes, and sidewalks on both sides. Beyond the bridge limits, adjacent streets [North and South River Roads, Creston Road and Union Road] will also be widened to maximize flow at the intersection and relieve traffic congestion. In February 2004, Council adopted the final budget for the project, but requested further review of the proposed project communications program.)

**OPTIONS:**

- a. Approve a Communications Program to be administered by Barnett Cox Associates for \$97,600, and authorize the City Manager to enter a contract for such services.
- 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**

**26. Water and Sewer Master Plans – Ad Hoc Committee**

Ditas Esperanza, Capital Projects Engineer

Consider appointing an ad hoc committee to assist in the selection of a consultant to update the City's Water and Sewer Master Plans.

**OPTIONS:**

- a. Appoint a two-member ad hoc committee to assist in the selection of a consultant to update the City's Water and Sewer Master Plans and report back to the full Council June 15, 2004.
- b. Amend, modify or reject any of the above option.

**ROLL CALL VOTE**

**COUNCIL COMMENTS**

**CLOSED SESSION** - None

**ADJOURNMENT:** to LEAGUE OF CALIFORNIA CITIES CHANNEL COUNTIES DIVISION QUARTERLY MEETING AT 6:00 PM ON FRIDAY, MARCH 19, 2004, AT THE ABEL MALDONADO'S YOUTH CENTER, 600 SOUTH MC CLELLAND, SANTA MARIA; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, APRIL 6, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR COUNCIL MEETING IS MARCH 27, 2004***