

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, April 20, 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. **Bob Alesi Memorial Volunteer of the Year Award – Recipient: Juanda Cox – Posthumous Recognition**
Mayor Frank Mecham

PUBLIC HEARINGS

2. **Sewer and Water User Fees**
M. Compton, Administrative Services Director

Consider adoption of sewer and water user fee adjustments. (Increases are being considered to provide funds to cover operating shortfalls in both sewer and water operations.)

OPTIONS:

- a. Introduce Ordinance No. XXX N.S. amending Sections 14.04.020 and 14.16.020 of the City of Paso Robles Municipal Code to adjust sewer and water user fees; and set May 4, 2004, as the date for adoption of said ordinance.
- b. Amend, modify, or reject any of the above option.

ROLL CALL VOTE

3. **Water Shortage Emergency Declaration**
M. Williamson, Interim Public Works Director

Consider declaring a citywide water shortage emergency due to the December 22, 2003, San Simeon earthquake. (The San Simeon earthquake caused damage to one of the City's 4-million gallon storage tanks, and there is an immediate operational urgency to reduce the City's water demand by 25%. Due to anticipated heavy summer water demand, declaration of a water emergency seems appropriate.)

- a. Adopt Resolution No. 04-xx declaring a water shortage emergency.
- 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 4-17 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

4. [Approve City Council minutes of April 6, 2004](#)
D. Fansler, City Clerk
5. [Approve Warrant Registers: Nos. 46861 – 46997 \(4/2/04\) and 46998 – 47138 \(4/9/04\)](#)
M. Compton, Administrative Services Director
6. Receive and file Advisory Body Committee minutes as follows:
[Housing Authority Board meeting of March 9, 2004](#)
[Pioneer Museum Board Meeting of March 22, 2004](#)
[Library Board of Trustees meeting of March 11, 2004](#)
[Senior Citizen Advisory Committee meeting of March 8, 2004](#)
[Transit Advisory Committee meeting of January 7, 2004](#)
[Youth Commission meeting of March 3, 2004](#)
7. [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 establishing a Planned Development \(PD\) Overlay zoning over the 2-parcel site to allow for modifications to the side yard setbacks – Zone Change 03-009.](#) (Properties, totaling 2.87 acres, are located at 723 and 733 Rolling Hills Road. The rezone request is in conjunction with Tentative Tract 2593 and PD 03-019 that would allow for the development of a 55-lot single family residential subdivision.)
1ST READING APRIL 6, 2004
8. [Read, by title only, and adopt Ordinance No. XXX N.S. amending Title 21 of the Zoning Code of the Municipal Code establishing Planned Development Overlay zoning over a 23.3 acre R-1 \(Residential Single Family\) zoned site to allow for modifications to the subdivision design to work around the Critical Root Zone of the existing oak trees – Zone Change 03-008.](#) (Site is located at the terminus of Red Cloud Road and Navajo Avenue – Coates property. The rezone request is in conjunction with Tentative Tract 2358 and PD 04-004 that would allow for the development of a 7-lot single family residential subdivision.)
1ST READING APRIL 6, 2004
9. [Proclamation National Volunteer Week – April 18 -24, 2004](#)
F. Mecham, Mayor
10. [Adopt Resolution No. 04-xx authorizing continued usage of a septic system for an existing single-family residence at 3580 Airport Road \(APN 025-431-081\) subject to Conditions “a” through “k” as stated in Municipal Code Section 14.08.070 K, 4 “Conditions.”](#) (Property is north of Highway 46 and south of Dry Creek Road. Applicant Russell Wilson has submitted a permit application for a remodel and garage. The nearest available sanitary sewer main is 1,700 feet to the north. Adjacent lots in this area are serviced by septic systems.)
R. Lata, Community Development Director
11. [Adopt Resolution No. 04-xx authorizing use of a septic system for the Hospitality Center of the Vina Robles Hotel and Resort located on Mill Road, south of Highway 46 \(APN 025-371-020\) subject to Conditions “a” through “k” as stated in Municipal Code Section 14.08.070 K, 4 “Conditions.”](#) (The hospitality center is the first phase of the resort hotel project. In accordance with the conditions of approval, applicants must extend sanitary sewer to serve the hotel proposed in the second phase. The nearest available sanitary sewer main is at the intersection of Dry Creek Road and Airport Road, approximately two miles to the north. Developed properties in this area are serviced by septic systems.)
R. Lata, Community Development Director

12. [Adopt Resolution No. 04-xx accepting the public improvements of Tract 2457-2 into the City's maintenance system.](#) (This tract is a 79-lot subdivision of a 16.14-acre site located along Clubhouse Drive and River Oaks Drive, north of Highway 46 and west of Buena Vista Drive. All public improvements have been constructed to the satisfaction of the City Engineer.)
R. Lata, Community Development Director
13. [Adopt Resolution No. 04-xx declaring certain City property as surplus and approving the method of disposal as identified in the resolution.](#) (Under a FEMA grant, the City upgraded out-of-compliance self-contained breathing apparatus [SCBA] units and cylinders in December 2003. The California Specialized Training Institute in San Luis Obispo has offered to exchange \$8,000 worth of training for the old equipment—27 SCBA units and 56 cylinders.)
K. Johnson, Emergency Services Chief
14. [Adopt Resolution No. 04-xx authorizing the transfer of \\$50,000 of State and Federal Grant Funds from the COPS Fund No. 117-000-5899-000 to General Fund No. 100-000-4899-000; and approving a one-time budget appropriation for \\$50,000 to Account No. 100-210-5212-136 to upgrade the portable communications equipment \(hand-held radios\), install technological upgrades, and purchase less lethal safety equipment for the Paso Robles Police Department.](#) (During FY 2003-04, the City received monies in State and Federal law enforcement grants for a total balance of \$250,800 in the COPS Fund 117. Per State and Federal requirements, the funds were deposited into a special non-general fund account until such time as the specific use of the funds was determined.)
D. Cassidy, Chief of Police
15. [Adopt Resolution No. 04-xx approving a one-year contract with Maximus, Inc. for Senate Bill 90 mandated cost claiming services and authorizing the Director of Administrative Services to execute said contract.](#) (SB 90 provides that public agencies may be reimbursed for costs associated with legislation enacted by the State legislature when it forces a mandate on the agencies to undertake some activity where costs are incurred. The City has been contracting with Maximus since 1987 to provide SB 90 state mandated cost claiming services on the City's behalf.)
M. Compton, Administrative Services Director
16. [Consider an extension of time to June 30, 2004, for the ad hoc committee formed to review and make recommendations regarding the fiscal year 2005 budget.](#) (The committee has not yet completed its assignment.)
M. Compton, Administrative Services Director
17. [Close out the ad hoc committee formed to work with staff to review the Airport Master Plan draft documents.](#) (The work of the committee is complete.)
M. Williamson, Interim Public Works Director

DISCUSSION

18. **Award of Construction Contract for Installation of Equipment to Control the Flow of a Sulphur Spring at City Hall Parking Lot**

M. Williamson, Interim Public Works Director

Consider awarding a construction contract for the installation of equipment to control the flow of a sulphur spring at City Hall parking lot. (Documents to solicit bid proposals to perform this work were prepared and issued. Two bids were received: one for \$180,500 and one for \$70,953. Staff reviewed the low bid submitted by Associated Pacific Contractors, Inc. and finds it to be responsive.)

OPTIONS:

- a. Adopt Resolution No. 04-xx awarding a construction contract for the installation of equipment to control the flow of a sulphur spring at City Hall parking lot to Associated Pacific Contractors, Inc. in the amount of \$70,953.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

19. **On-site Construction Management Services – Resident Engineer and Inspection Oversight – 13th Street Bridge Widening Project**

M. Williamson, Interim Public Works Director

Consider approving a construction management service contract (resident engineer and inspection oversight) for the 13th Street Bridge Widening Project. (In February 2004, Council adopted a final budget for this project, which includes the cost to provide construction management services. Requests for Proposal were issued to over twenty firms. Five firms responded, with fees ranging from \$915,428 to \$1,429,485. All firms were invited to appear before a selection committee. The committee determined that the team from LAN Engineering has the best technical experience and knowledge to perform construction management services for the City.)

OPTIONS:

- a. Authorize the City Manager to engage the services of LAN Engineering to provide construction management oversight for the 13th Street Bridge Widening Project for a fee of \$980,588.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

20. Award Design Contract for Union Road Improvements – Riverglen to Kleck Road

M. Williamson, Interim Public Works Director

Consider awarding a design services contract to improve Union Road from Riverglen to Kleck Road. (A Request for Proposal was issued to fourteen firms to prepare construction plans, specifications, and estimates to improve Union Road. Six firms responded with fee proposals ranging from \$35,040 to \$87,925. All proposals were reviewed and rated based on project understanding and approach, technical knowledge, fees, and experience in performing similar work. The proposal from North Coast Engineering received the highest rating using these criteria.)

OPTIONS:

- a. Authorize the City Manager to engage the services of North Coast Engineering for \$72,523 to prepare plans, specifications, and estimates (PS&E) to improve Union Road from Riverglen to Kleck Road.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

21. Request for Water Well Use – Vina Robles Resort Hotel

R. Lata, Community Development Director

Consider authorizing the use of a private well for irrigation of a small vineyard and hotel landscaping. (Applicant has requested permission to use well water for vineyards [roughly 2.5 acres] and landscaping associated with the hotel and hospitality center.)

OPTIONS:

- a. Adopt Resolution No. 04-xx to approve the use of a new private well by Vina Robles, Inc. to irrigate a newly developed vineyard and landscaping associated with the resort hotel.
- b. Adopt Resolution No. 04-xx to approve the use of a new private well by Vina Robles, Inc. to irrigate a newly developed vineyard (no landscaping) associated with the resort hotel.
- c. Amend, modify, or reject the above options.

ROLL CALL VOTE

22. Street Sweeping Service

M. Williamson, Interim Public Works Director

Consider City street sweeping service options. (On March 11th, street sweeping bids were opened. The low outside bidder was Venco Street Sweeping for a yearly price of \$121,410—approximately double the City's current contract cost. An alternate to contracting with an outside contractor is to consider in-sourcing sweeping services.)

OPTIONS:

- a. Reject all street sweeping bids and adopt Resolution No. 04-xx authorizing the purchase of two (2) street sweepers.
- b. Reject all street sweeping bids and adopt Resolution No. 04-xx authorizing the purchase of one (1) street sweeper.
- c. Approve Resolution No. 04-xx awarding a street sweeping contract to Venco Street Sweeping for a total yearly price of \$121,410.65.
- d. Amend, modify, or reject the above options.

ROLL CALL VOTE

23. Emergency Operations Plan

K. Johnson, Emergency Services Chief

Consider approving the City of Paso Robles Emergency Operations Plan (EOP). (The EOP is the City's master management and policy document related to emergency planning and response. The EOP has been updated and revised to reflect changes in emergency management systems and procedures within California. It is consistent with Federal, State, and County emergency planning requirements.)

OPTIONS:

- a. Adopt Resolution 04-xx approving the City of Paso Robles Multi-Hazard Emergency Response Plan.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

24. Emergency Services Department Volunteer Program

K. Johnson, Emergency Services Chief

Consider restructuring the Emergency Services Department volunteer program. (The volunteer program could be restructured to provide opportunities for citizens to aid in fire prevention, inspection, and education activities, and for those with available time and proper training, fire suppression and other emergency response duties in a paid-call type reserve officer program. The reserve and volunteer programs would be modeled after those currently employed by the Police Department.)

OPTIONS:

- a. Authorize the Emergency Services Chief to initiate those changes necessary to transition from a volunteer firefighter program to a reserve firefighter program, and to initiate a volunteer program to address non-emergency support and community service needs.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

25. Installation of a Pedestrian Walkway Around the Marlowe and Acorn Buildings

M. Williamson, Interim Public Works Director

Consider approving the installation of a pedestrian walkway around the Marlowe and Acorn Buildings. (These buildings at the corner of 13th and Park Streets were demolished after the December 2003 earthquake. Applicant has submitted plans to install a pedestrian walkway, which would be in place for the duration of building reconstruction. The Building Department has reviewed the plans to ensure that the design meets codes for pedestrian safety.)

OPTIONS:

- a. Issue an encroachment permit as requested by Portney Construction, subject to the Development Review Committee's approval of the colors and/or design of the pedestrian walkway.
- 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

CALL TO ORDER – Large Conference Room, 2nd Floor

- a. **Conference with Legal Counsel – Anticipated Litigation**
Subdivision (c) of Government Code Section 54956.9
Initiation of Litigation
Number of Cases: One

ADJOURNMENT: to THE **COUNTY BOARD OF SUPERVISORS MEETING** AT 9:00 AM ON TUESDAY, APRIL 27, 2004, AT THE COUNTY BOARD CHAMBERS, 1050 MONTEREY, SAN LUIS OBISPO; TO THE **WATER CONSERVATION KICK-OFF EVENT** AT 10:00 AM ON WEDNESDAY, APRIL 28, 2004, AT THE DOWNTOWN CITY PARK; TO THE **SEISMIC ORDINANCE WORKSHOP** AT 7:00 PM ON THURSDAY, APRIL 29, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE **REGULAR MEETING** AT 7:30 PM ON TUESDAY, MAY 4, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR
COUNCIL MEETING IS APRIL 23, 2004***