

Any person desiring to speak on an agenda item is asked to fill out a *Speaker Information Card* and place it at the Staff Table prior to public discussion of that item. Each individual speaker will be limited to a presentation total of three (3) minutes per item.

**AMERICANS WITH DISABILITIES ACT** Any individual, who because of a disability needs 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 four (4) working days in advance of the meeting.

## CITY COUNCIL AGENDA

**Tuesday, June 15, 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. [Water Conservation](#)

Receive a briefing on water conservation.  
M. Williamson, Interim Public Works Director

## PUBLIC HEARINGS

### 2. [Demolition 04-008 – Determination of Historic or Architectural Significance of an Existing House and Apartment at 2232 & 2232-½ Oak Street for Demolition/Reconstruction Permit Application \(Applicants: Darrell and Leora Eide\)](#)

R. Lata, Community Development Director

Consider making a determination as to the historic or architectural significance of an existing house located at 2232 and 2232-½ Oak Street. (Council has the discretion to make a final determination as to the subject building's historic or architectural significance prior to the processing of a demolition permit.)

#### OPTIONS:

- a. (1) Approve Resolution No. 04-xx adopting 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(s) will be the subject of a future applicable building code and public policy requirements as may apply at the time of a request for project approval.
- b. Amend, modify, or reject the above option.

## ROLL CALL VOTE

### 3. [Code Amendment 04-002 – Regarding Medical Uses in Office Professional Land Use Category](#)

R. Lata, Community Development Director

Consider a code amendment filed by Keith Belmont on behalf of RITE III, Inc. to amend the Municipal Code and Land Use Matrix to allow emergency/urgent care centers, including outpatient services, under the same group of land uses that would be permitted in the Gateway Center, subject to approval of a Conditional Use Permit. (The Gateway Center development at 1<sup>st</sup> and Vine Streets is designated in the General Plan for Office Professional land uses and is also in the Office Professional zoning category. This item is scheduled to come before the Planning Commission on June 8<sup>th</sup>.)

**OPTIONS:**

- a. Introduce and hold first reading of Ordinance No. XXX N.S. to approve Code Amendment 04-002 to amend Section 21.18.040 and Section 21.16.200 of the Municipal Code to allow emergency/urgent care centers, including outpatient services, under the same group of land uses that would be permitted in the Gateway Center, subject to approval of a Conditional Use Permit; and set July 6, 2004, as the date for adoption of said ordinance.
- b. Amend, modify, or reject 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 4-19 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

- 4. [Approve City Council minutes of June 1 and 2, 2004](#)  
D. Fansler, City Clerk
- 5. [Receive and file Advisory Body Committee minutes as follows:](#)  
[Airport Advisory Committee meeting of April 22, 2004](#)  
[Project Area Committee meeting minutes of July 16 and December 17, 2003](#)  
[Youth Commission meeting of May 5, 2004](#)
- 6. [Approve Warrant Register: Nos. 48065-48198 \(5/28/04\) and 48199-48313 \(6/4/04\)](#)  
M. Compton, Administrative Services Director
- 7. [Proclamation Saratoga Elementary School – June 4, 2004](#)
- 8. [Proclamation Safe & Sober Grad Night – June 11, 2004](#)
- 9. [Read, by title only, and adopt Ordinance No. XXX N.S. eliminating the existing time limit on incurring debt and amending certain time limitations with respect to the Redevelopment Plan for the Paso Robles Redevelopment Project area.](#) (SB 211 provides agencies an opportunity to eliminate the time limit on issuing debt and extends the life of the Agency by an additional ten years. SB 1045 provides a means for those agencies that were required to make an Educational Relief Augmentation Fund payment in fiscal year 2004 to extend their Plan time limit and debt issuance limit by one year to recoup the contribution to ERAF.) 1ST READING JUNE 1, 2004 M. Compton, Administrative Services Director
- 10. [Read, by title only, and adopt Ordinance No. XXX N.S. rezoning an existing 7,000-square foot parcel from R3 to C3, in order to bring the zoning designation into conformance with the existing General Plan designation.](#) (Property is located at 1830 Riverside Avenue. The General Plan land use designation for the parcel is Commercial Service and the current zoning is Residential Multi-family, 12-units/acre.) 1ST READING JUNE 1, 2004 R. Lata, Community Development Director

11. [Adopt Resolution No. 04-xx calling and giving notice of the holding of a General Municipal Election to be held on Tuesday, November 2, 2004, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law cities.](#)  
D. Fansler, City Clerk
12. [Adopt Resolution No. 04-xx requesting the Board of Supervisors of the County of San Luis Obispo to consolidate a General Municipal Election to be held on November 2, 2004, with the Statewide General Election to be held on the date pursuant to §10403 of the Elections Code.](#)  
D. Fansler, City Clerk
13. [Adopt Resolution No. 04-xx adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, November 2, 2004.](#)  
D. Fansler, City Clerk
14. [As the work of the committee is completed, dissolve the ad hoc committee formed in November 2003 to assist with the development and preparation of the budget for fiscal year 2005.](#)  
M. Compton, Administrative Services Director
15. [As the work of the committee if not yet completed, extend the ad hoc committee to review sewer and water user and impact fees to September 21, 2004.](#)  
M. Compton, Administrative Services Director
16. [Adopt Resolution No. 04-xx setting an ad valorem tax rate beginning July 1, 2004, to pay debt service on the general obligation bonds.](#) (In June 1998, Paso Robles voters authorized the sale of \$38 million in general obligation bonds. Annual debt service requirements for these bonds are funded from the levy of an ad valorem property tax. The tax rate must be re-set annually by the Council.)  
M. Compton, Administrative Services Director
17. [Introduce and hold first reading of Ordinance No. XXX N.S. adopting the fiscal year 2005 operating budget for the Redevelopment Agency.](#) (The adopted RDA plan requires the annual operating budget be adopted by ordinance rather than by resolution. The budget is identical to the current year's budget except for debt service. As in prior years, all unallocated tax increment revenues are dedicated to repay the City for debt service on City Hall/Library.)  
M. Compton, Administrative Services Director
18. [Adopt Resolution No. 04-xx accepting a Negotiated Exchange of Property Tax Revenue and Annual Tax Increment between the County of San Luis Obispo and the City regarding Annexation No. 86 – Olsen.](#) (The subject property is approximately 241 acres along the City's easterly boundary, located south of Linne Road, west of Hanson Road, and north of an extension of Meadowlark Road. As a prerequisite to any jurisdictional change, Revenue & Taxation Code Section 99 requires the affected jurisdictions to negotiate an exchange of property tax revenue.)  
R. Lata, Community Development Director
19. [Adopt Resolution No. 04-xx approving an appropriation limit of \\$29,205,317 for fiscal year 2004-05.](#) (State Constitution requires state and local governments to annually adopt an appropriations limit.)  
M. Compton, Administrative Services Director

## **ROLL CALL VOTE**

## DISCUSSION

### 20. [Housing Element Amendment](#)

R. Lata, Community Development Director

Consider comments on the December 2003 Housing Element made by the State Department of Housing and Community Development (HCD). (On December 16, 2003, Council adopted an Update to the General Plan, which included an updated Housing Element. After HCD review, the City was notified that there were issues in the draft Housing Element to be amended.)

#### OPTIONS:

- a. Receive and file Housing and Community Development's letter of December 12, 2003, with the understanding that staff will be preparing and submitting a draft amendment to HCD at the same time that draft contents are being reviewed with the Planning Commission and City Council.
- b. Amend, modify, or reject the above option.

#### ROLL CALL VOTE

### 21. [CDBG-funded In-roadway Crosswalk Signal System – Reject all Bids](#)

R. Lata, Community Development Director

Consider rejecting all bids received for the installation of an in-roadway signal system (LED-lighted crosswalk) at the intersection of 24<sup>th</sup> and Oak Streets. (Lump-sum bids from Lee Wilson Electric of Arroyo Grande and Templeton Engineering Contractors were received and opened on May 18<sup>th</sup>, with Lee Wilson Electric the apparent low bidder. A bid protest was filed by Templeton Engineering related to the disclosure of the manufacturer of the In-Roadway Signal System. Subsequent to the bid opening, the advisability of continuing to pursue installation of the LED-lighted crosswalk was questioned, as the City plans to install a traffic signal at the intersection of 24<sup>th</sup> and Vine Streets during FY 2005.)

#### OPTIONS:

- a. Adopt Resolution No. 04-xx to reject all bids for the In-roadway signal system project and, subject to Council confirmation of whether the system should be located at the intersection of 24<sup>th</sup> and Oak Streets (preliminarily scheduled for discussion on July 6, 2004), direct staff to revise the contract documents to clarify the need to identify manufacturers and re-bid the project.
- b. Amend, modify, or reject the foregoing option.

#### ROLL CALL VOTE

**22.** [Centennial Park Upgrades](#)

M. Williamson, Interim Public Works Director

Consider rejecting the bid received for the Centennial Park Upgrades. (Following award of a Roberti-Z'Berg Harris Grant for \$500,000, in May 2003, Council approved preparation of plans and specifications for the upgrade and refurbishment of Centennial Park. Only one bid was received at the Bid Opening on May 20, 2004, which significantly exceeded the budget allocated for the project. As the terms of the grant require that the City accomplish each of the project elements described in the grant application, it is necessary to seek direction from the State to determine which parts of the project items may be eliminated and still qualify for the grant.)

**OPTIONS:**

- a. Adopt Resolution No. 04-xx rejecting the bid received for the upgrades/refurbishing at Centennial Park and directing staff to re-advertise for bids once State direction is confirmed.
- b. Amend, modify, or reject the foregoing option.

**ROLL CALL VOTE**

**23.** [Thunderbird Wellfield – Water Transmission Main \(DPW 01-13\)](#)

M. Williamson, Interim Public Works Director

Consider upholding, in part, the bid protest filed by Arthurs' Contracting, rejecting the apparent low bid from MGE Underground, Inc., as nonresponsive, rejecting bids 2 - 9 as nonresponsive, and awarding the contract for the Thunderbird Waterline Project to the 10<sup>th</sup>-lowest bidder, Becka Construction, Inc.

**OPTIONS:**

- a. Adopt Resolution No. 04-xx (1) finding the bid protest filed by Arthurs Contracting, Inc. partially valid; (2) rejecting the bid submitted by MGE Underground as non-responsive; (3) rejecting bids 2 through 9; and (4) awarding the project to Becka Construction at the bid price of \$1,531.597.
- b. Reject all bids and direct staff to re-advertise for bids.
- c. Amend, modify, or reject the foregoing options.

**ROLL CALL VOTE**

**24. Repair Design Options – City Hall/Library Parking Lot**

M. Williamson, Interim Public Works Director

[Consider alternatives for pipe installation and parking lot repair. \(One option requires additional information collection and adds three to five weeks to the construction repair schedule. The second relies on empirical data and requires no immediate modification to the schedule.\)](#)

**OPTIONS:**

- a. Adopt Resolution No. 04-xx amending the Boyle/Fugro design contract in the amount of \$19,500, bringing the total not-to-exceed contract amount to \$137,700.
- b. Direct the installation of pipe to proceed at this time based on historic information provided by Floyd Butterfield.
- c. Amend, modify, or reject the foregoing options.

**ROLL CALL VOTE**

**25. [Youth Commission – Change in Bylaws](#)**

B. Partridge, Library & Recreation Services Director

Consider changing the Youth Commission bylaws to include one-year terms for incoming seniors and changing number of alternates from two to three. (At its May 5<sup>th</sup> meeting, the Youth Commission approved changes in their bylaws for terms of incoming seniors and adding an additional alternate position to ensure a quorum at each meeting.)

**OPTIONS:**

- a. Change the Paso Robles Youth Commission bylaws to include one-year terms reserved for incoming seniors only and change the number of alternates from two to three.
- 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

## **CLOSED SESSION**

**CALL TO ORDER** – Large Conference Room, 2<sup>nd</sup> Floor

**a. Conference with Legal Counsel – Existing Litigation**

Subdivision (a) of Government Code Section 54956.9

Leslie (Plaintiff) vs. City of El Paso de Robles (Defendants)

Claim No. CV 020383

**ADJOURNMENT:** to THE CHAMBER OF COMMERCE ECONOMIC UCSB FORECAST AT 8:30 AM ON WEDNESDAY, JUNE 16, 2004, AT THE PASO ROBLES INN, 1103 SPRING STREET; TO THE CANYON CREEK GROUNDBREAKING CEREMONY AT 10:00 AM ON TUESDAY JUNE 22, 2004, AT 400 OAK HILL ROAD, PASO ROBLES; TO THE ADVISORY COMMITTEE INTERVIEWS AT 7:00 PM ON THURSDAY, JUNE 24, 2004 AND MONDAY, JUNE 28, 2004 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, JULY 6, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR  
COUNCIL MEETING IS JUNE 25, 2004***