

CITY COUNCIL AGENDA

Tuesday, September 21, 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 FILL OUT A SPEAKER INFORMATION CARD. 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. [Recognition – Howard McMasters](#)

R. Mecham, Mayor

Recognition of Howard McMasters, recipient of the Marvin M. Lewis Scouting Award.

PUBLIC HEARINGS

2. [Municipal Code Amendment 04-004: Refinements to Oak Tree Preservation Ordinance \(City-initiated\)](#)

R. Lata, Community Development Director

Continue the open public hearing concerning an update to the City's Oak Tree Preservation Ordinance to allow the Planning Commission time to conclude their discussions. CONTINUED FROM AUGUST 17, 2004

OPTIONS:

- a. Continue the open noticed hearing regarding Code Amendment 04-004 to November 16, 2004.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

3. [Appeal of Notice and Order for 1234 Pine Street by the Property Owner](#)

R. Lata, Community Development Director

Continue the open public hearing regarding an appeal of a Notice and Order issued for a leaning building at 1234 Pine Street. (Property is a 120-year old wood, framed building. The City's recent assessment showed that the building is leaning and rotating four inches, exceeding limits set by code for this type of building.) CONTINUED FROM AUGUST 17, 2004

OPTIONS:

- a. Continue the open noticed hearing regarding appeal of Notice and Order for 1234 Pine Street to October 5, 2004.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

4. [Demolition 04-009 – Determination of Historic or Architectural Significance of Existing Unreinforced Masonry Building at 1213 Vine Street for Demolition/Reconstruction Permit Application \(Henderson Family Trust\)](#)

R. Lata, Community Development Director

Consider making a determination as to the historic or architectural significance of a building at 1213 Vine Street that was damaged in the December 22, 2003, San Simeon earthquake. (Council has the discretion to make a final determination of the subject building's historic or architectural significance prior to the processing of a demolition permit.) CONTINUED FROM SEPTEMBER 7, 2004

OPTIONS:

- a. 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 direct that the demolition permit application be processed. (Any replacement structure/s will be the subject of future Development Review Committee consideration 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 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 5-15 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

5. Receive and file Advisory Body Committee minutes as follows:

- [Pioneer Museum Board meeting of August 12, 2004](#)
- [Transit Advisory Committee meeting of June 2, 2004](#)

6. [Read, by title only, and adopt Ordinance No. XXX N.S. amending the Zoning Title of the Municipal Code to allow automotive repair facilities in the C1 zoning district, except for C1 districts west of Highway 101, subject to approval of a Conditional Use Permit \(Code Amendment 04-005 – Majco, Inc.\).](#) (For construction of a 13,840 square foot Big Brand Tire Store on the 1.4-acre site located between Old South River Road and South River Road, just north of the PG&E substation.) 1ST READING SEPTEMBER 7, 2004

R. Lata, Community Development Director

7. [Adopt Resolution No. 04-xx establishing a fee schedule for certain permits required in connection with repairs or demolition of residential structures as a result of earthquake damage.](#) (The “zero fee” building permit schedule adopted by Council in February 2004 applied for a period of 120 days and expired June 1, 2004.)

R. Lata, Community Development Director

8. [\(1\) Adopt Resolution No. 04-xx accepting the recordation of Tract 2391, a 8-lot subdivision located on the west side of Beechwood Drive, south of Meadowlark Lane, and approving the Subdivision Improvement Agreement for Tract 2391 guaranteeing the construction of the subdivision improvements, with an established deadline of September 21, 2005, to complete these improvements, and authorizing the Mayor to execute the Agreement; and \(2\) adopt Resolution No. 04-xx annexing Tract 2391 into the Landscape and Lighting District.](#) (Applicants: Mart and Laura Hundertmark and Don Benson. Tract 2391 was originally approved by the Planning Commission on January 9, 2001, and all conditions imposed by the Planning Commission have been satisfied.)
R. Lata, Community Development Director
9. [Adopt Resolution No. 04-xx establishing reimbursement fees for the construction of a sewer line and appurtenances in 18th Street and authorize the Mayor to enter into an Agreement with developer Chris Thomas for the City to collect the reimbursable amounts on behalf of the developer.](#) (The sewer line provides sewer availability for the immediate area and thereby benefits other properties, allowing those properties the opportunity for development.)
R. Lata, Community Development Director
10. [Adopt Resolution No. 04-xx accepting the recordation of Parcel Map PR 04-0080, a 2-lot residential subdivision located at 823 22nd Street, east of Park Street.](#) (Applicant: Steve Holman. Parcel Map PR 04-0080 was tentatively approved by the Planning Commission on May 11, 2004, and all conditions imposed by the Planning Commission have been satisfied.)
R. Lata, Community Development Director
11. [Adopt Resolution No. 04-xx approving a salary adjustment for the City Manager and Employment Contract amendment.](#) (Based on the annual review of the City Manager's performance recently conducted by the City Council, and in accordance with an amendment to the terms of the Contract, the annual base salary of the City Manager will be increased by 6% effective September 1, 2004.)
I. Yang, City Attorney
12. [Adopt Resolution No. 04-xx authorizing use of an existing bid process completed by the City of Los Angeles Department of Airports and purchase two infrared lidar systems from the low bidder Kustom Signals, Inc.](#) (On September 7th, Council approved implementation of several measures to mitigate anticipated traffic problems related to construction of the 13th Street Bridge project. The approved purchases included two laser speed enforcement tools.)
D. Cassidy, Chief of Police
13. [Adopt Resolution No. 04-xx authorizing the City Manager to execute a contract with Blue Cross for medical coverage for one additional year.](#) (The City's one-year health insurance contract with Blue Cross expires on September 30th. All employee bargaining groups have endorsed continuation of the current health contract for another year.)
M. Williamson, Assistant to the City Manager
14. [Adopt Resolution No. 04-xx approving a budget appropriation for \\$144,000 from the Economic Incentive Fund for Paso Robles, GMC.](#) (Council approved an economic incentive agreement with Paso Robles, GMC in July 2000. Their performance to date—expanding the vehicle dealership on the property—satisfies the terms of the incentive agreement.)
M. Compton, Administrative Services Director
15. [As the work of the committee is not yet complete, extend duration of the ad hoc committee formed in April 2004 for review and analysis of City-wide user fees \(non-utility\).](#)
M. Compton, Administrative Services Director

ROLL CALL VOTE

DISCUSSION

16. [Code Amendment – Fire Sprinkler Requirement](#)

R. Lata, Community Development Director

Consider amending Municipal Code Sections 17.04.020 and 17.04.030 (Uniform Building and Fire Code) reducing the requirement to install fire sprinkler systems in buildings greater than 5000 square feet. (Property at issue is at 1529 North River Road, a 1500-square foot addition to an existing building, approximately 6500-square foot. In 1988, the City amended the Uniform Building and Fire Codes requiring new construction in excess of 5000 square feet to be equipped with fire sprinklers. An amendment to the current code requirement is a procedural alternative to complying with the City's Code.)

OPTIONS:

- a. Approve a code amendment, based on the attached Exhibit A, directing staff to modify the amendments to the Uniform Building and Fire Codes and reintroduce the codified amendment at the October 19, 2004, meeting for its first reading.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

17. [Request to Reconstruct Building with Encroachment into the Public Right-of-Way \(Cagliero\)](#)

R. Lata, Community Development Director

Consider a request by Phillip Cagliero to allow the structural retrofit of an existing commercial building with a permanent encroachment in the public right-of-way. (In August 2004, applicant submitted plans and a permit application for structural earthquake retrofits to the building located at 617-625 12th Street. During plan check, it was determined that the existing building encroaches into the public right-of-way approximately ten inches. Additionally, applicant proposes to construct new features that will extend further into the public right-of-way. A permit cannot be issued for the construction of a building outside of the boundaries of the property owned by the applicant unless Council approves abandonment of the public right-of-way involved in the encroachment.)

OPTIONS:

- a. Deny applicant's request to place structural reinforcing of a building in the public right-of-way and direct the applicant to submit a formal street abandonment application to accommodate the portion of the existing building that encroaches into the public right-of-way.
- b. Approve the applicant's request to place structural reinforcing of a building in the public right-of-way and direct the applicant to submit a formal street abandonment application to accommodate the finish building.
- c. Amend, modify, or reject the foregoing options.

ROLL CALL VOTE

18. [AB 1600 Development Impact Fees for RV Parks](#)

M. Compton, Administrative Services Director

Consider a special development impact fee category for RV parks. (At the time the City's AB 1600 fee study was prepared, a fee category for RV parks was not included. Since adoption of the fee schedule, a limited amount of verified traffic generation data has been published by the Institute of Traffic Engineers, which indicates the City may consider fee category alternatives.)

OPTIONS:

- a. Adopt Resolution No. 04-xx approving a new RV park fee category and set the fee at the 24 hour day rate; or
- b. Retain the commercial lodging fee as the applicable fee until such time as the applicants—Wine Country RV Resort, Bill and Ken Munde)—complete a new 24 hour traffic survey.
- c. Amend, modify, or reject the foregoing options.

ROLL CALL VOTE

19. [Public Finance Goals and Policies](#)

R. Lata, Community Development Director

Receive and file a set of Draft Goals and Policies for implementing the General Plan provisions regarding "fiscal neutrality," with formal consideration on October 19, 2004. (The intent of the Draft Goals and Policies is to provide tools to off-set any adverse financial impacts on the residents of Paso Robles from new residential development—cost of infrastructure or services and/or reduced levels of existing services resulting from the new development.)

OPTIONS:

- a. Receive and file the Draft Goals and Policies and direct staff to prepare for formal City Council consideration of adoption at the Council meeting of October 29, 2004.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

20. [Airport Regulations and Minimum Standards](#)

M. Williamson, Interim Public Works Director

Consider amended Rules & Regulations and Minimum Standards for Aeronautical Services for the Municipal Airport. (The Rules & Regulations are essential to the safe and efficient operation of the Airport. The Minimum Standards provide equal treatment of all who conduct business on the Airport, as required by the FAA.)

OPTIONS:

- a. Approve Resolution No. 04-xx amending the Airport Rules & Regulations and Minimum Standard Requirements for Airport Aeronautical Services.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

21. [Transit Advisory Committee](#)
M. Compton, Administrative Services Director

Consider membership of the Transit Advisory Committee (TAC) and provide direction regarding the recruitment to fill the current vacancy. (The City continues to experience considerable difficulty in recruiting interested persons to serve on the TAC.)

OPTIONS:

- a. Direct staff to continue recruitment efforts to fill the current vacancy on the Transit Advisory Committee.
- b. Dissolve the Transit Advisory Committee.
- c. Amend, modify, or reject any of the above options.

VOICE VOTE

COUNCIL COMMENTS

PUBLIC COMMENT ON CLOSED SESSION

Public comments limited to Closed Session items only.

ADJOURNMENT: to CITIZENS AIRPORT ADVISORY COMMITTEE INTERVIEWS/APPOINTMENTS AT 7:00 PM, THURSDAY, SEPTEMBER 30, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; TO THE CHANDLER RANCH AREA SPECIFIC PLAN PUBLIC WORKSHOP AT 7:00 PM, MONDAY, OCTOBER 4, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, OCTOBER 5, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

All persons desiring to speak on an agenda item are asked to fill out *Speaker Information Cards* and place them 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.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR
COUNCIL MEETING IS SEPTEMBER 24, 2004***