

CITY COUNCIL AGENDA

Tuesday, February 1, 2005 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 Jim Heggarty, Gary Nemeth, Duane Picanco, Fred Strong, 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 - None

PUBLIC HEARINGS

1. [Determination of Historic or Architectural Significance of a Commercial Building located at 1307 & 1311 Park Street and a Request to Process a Pending Demolition Permit Application \(Demolition 04-011 - Applicant: Gilson / Jackson & Co.\)](#)

R. Lata, Community Development Director

Consider making a determination of historic or architectural significance of a commercial building proposed for demolition and to authorize a demolition permit. (Building is located at 1307 & 1311 Park Street. Although the subject building is in the City's Historic Resources Inventory, it is not on any local or State Register of historic structures. As such, the building's demolition is not subject to review other than that provided by Council.)

OPTIONS:

- a. Determine to (1) approve Resolution No. 05-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 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. [Street Abandonment 04-005 \(19th Street - Newton\)](#)

R. Lata, Community Development Director

Consider abandoning a portion of 19th Street, an 80-foot wide street. (Applicant Eric Newton requested this abandonment for the purpose of expanding residential use of the abandoned area. The request is consistent with the Streets and Highway Code and the General Plan. The Streets and Utility Committee has recommended approval, and the Planning Commission recommends approval subject to retention of easements for City sewer, water and storm drain lines and other public utilities.) RESOLUTION OF INTENT TO ABANDON WAS ADOPTED ON DECEMBER 21, 2005

OPTIONS:

- a. Adopt Resolution No. 05-xx abandoning a portion of 19th Street—an 80-foot right-of-way from Pine Street to the Union Pacific Railroad—and retain a public services easement for water, sanitary sewer, and public services as shown on Exhibit A as requested by the adjacent property owners subject to conditions set forth.
- 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 3-11 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

3. [Approve City Council minutes of January 18, 2004](#)
D. Fansler, City Clerk
4. [Approve Warrant Register: Nos. 52692 – 52856 \(1/14/05\) and 52857 – 53014 \(1/21/05\)](#)
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:
[Housing Authority meeting of January 11, 2004](#)
[Parks & Recreation Advisory Committee meeting of November 9 and December 14, 2004](#)
[Pioneer Museum Board meeting of December 9, 2004](#)
[Senior Citizen Advisory Committee meeting of December 13, 2004](#)
[Youth Commission meeting of December 1, 2004](#)
6. [Proclamation designating February 22, 2004 as Spay Day USA.](#)
F. Mecham, Mayor
7. [Read, by title only, and adopt Ordinance No. XXX N.S. amending the City's Zoning Map regarding property at the Northwest Corner of Creston and Rolling Hills Road \(Zone Change 04-007 – North Coast Engineering / Woody Woodruff\).](#) (Property is located at the northwest corner of Creston and Rolling Hills Road. The subject parcels are currently zoned Office Professional [OP]. The General Plan calls for a change in land use to high density multi-family residential, allowing up to 20 dwelling units per acre.) 1ST READING JANUARY 18, 2005
R. Lata, Community Development Director
8. [Adopt Resolution No. 05-xx awarding a 3-year contract for official advertising to The Tribune and the Paso Robles Press.](#) (Request for Proposals was distributed to local newspapers of general circulation in November 2004, with two vendors responding, one a daily, and one a weekly. Although Paso Robles Press was the low bidder, their weekly publishing schedule does not satisfy all City advertising requirements. To allow flexibility in meeting all noticing deadlines, contracting with both newspapers is recommended.)
D. Fansler, City Clerk
9. [Adopt Resolution No. 05-xx authorizing the City Clerk, Department Directors, and/or the City Attorney to prepare ordinance summaries for publication pursuant to Government Code section 36933; and direct City Clerk to obtain cost estimates for determining most cost effective alternative for ordinance publication.](#) (California Government Code requires the City Clerk to publish each municipal ordinance within 15 days following adoption. An alternative to publishing the full ordinance is to publish a summary.)
D. Fansler, City Clerk
10. [Adopt Resolution No. 05-xx appropriating \\$110,500 to Budget Account No. 100-110-5235-101; and authorize payment pursuant to the stipulation.](#) (In 2000, the City updated its newsrack ordinance to limit the number and placement of freestanding newsracks located in the public right of way to reduce visual clutter on sidewalks and other public areas, while protecting public safety. Subsequent to its adoption, the ordinance was challenged in the Superior Court by The Tribune. In 2002, the Court rendered a decision, which invalidated

the limitations on the maximum number of newsracks per block face. In 2004, the Court of Appeals upheld the Superior Court decision. In conjunction with the Court of Appeal determination, the City is responsible for payment of attorney fees for the plaintiffs and the City must cover costs that were stipulated in the Superior Court Case.)

M. Williamson, Assistant to the City Manager

11. [Adopt Resolution No. 05-xx accepting the recordation of Parcel Map PR 03-304, a 4-lot residential subdivision located on the east side of Prospect Avenue, south of Bella Vista Court; and adopt Resolution No. 05-xx annexing Parcel Map PR 03-304 into the Landscape & Lighting District \(L&LD\).](#) (Applicants: Joseph and Mary Egger. Parcel Map PR 03-304 was tentatively approved by the Planning Commission in January 204. All conditions imposed have been satisfied. Applicants have signed a petition and voted in favor of annexation into the L&LD.)

R. Lata, Community Development Director

DISCUSSION

12. [Request to Remove Oak Trees - Tract 2620 \(Vanderlip / Scanlan\)](#)

R. Lata, Community Development Director

Consider approving the removal of 13 oak trees in conjunction with the development of a proposed 16-lot single family residential development. (Property is located east of North River Road, north of Union Road, at the terminus of Via Lantana and Via Magnolia. Ten trees are proposed for removal for road construction within the development and three trees in relation to the construction of homes. The Emergency Services Department has confirmed that the connection of the two streets is necessary to provide adequate circulation in this area of the City. If oak tree removals are not approved by Council, the project will need to be redesigned.)

OPTIONS:

- a. Adopt Resolution No. 05-xx approving the oak tree removal request based on the need to remove ten (10) trees in order to construct the road, and an additional three (3) trees in order to build homes, and require a replacement ratio of twenty-five (25) 1.5-inch-diameter Blue Oak and Valley Oak trees (or other combination of larger diameter trees totaling 37.25 inches) to be planted in a location that is appropriate for the species of tree as determined by a horticulture professional.
- b. Adopt Resolution No. 05-xx approving the oak tree removal request based on the need to remove ten (10) trees in order to construct the road, and the removal of tree No. 60, since it is dead, but require the applicant to redesign the subdivision to preserve Trees 25 and 26, and require a replacement ratio of eighteen (18) 1.5-inch diameter Blue Oak and Valley Oak trees (or other combination of larger diameter trees totaling 26.5 inches) to be planted in a location that is appropriate for the species of tree as determined by a horticulture professional.
- c. Amend, modify, or reject the above options.

ROLL CALL VOTE

13. [Sewer and Water Development Impact Fees](#)

M. Compton, Administrative Services Director

Consider modifying water and sewer development impact (connection) fees. (Fee adjustments are necessary for special sewer and water studies to enhance and integrate the master plans currently being prepared. In addition, the cost of the master plans included in the last fee update are understated, and costs of certain water system improvement projects listed in both the water Capital Improvement Projects budget and fee study are insufficient.)

OPTIONS:

- a. Adopt Resolution No. 05-xx adjusting sewer and water development impact (connection) fees and modifying appropriations for the CIP budget for water system improvements.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

14. [Public Employees' Retirement System \(PERS\) Contract Revision](#)

M. Williamson, Assistant to the City Manager

Consider amending the Public Employees' Retirement System retirement contract for the Police Officers Association (P.O.A.), the Miscellaneous group (Service Employees International Union - S.E.I.U.), and the Unrepresented Confidential, Professional, and Management bargaining groups. (The current PERS contract for the P.O.A. is a 2% at 50-years formula. The Memorandum of Understanding with the City calls for an amendment to a 3% at 50 years formula by April 1, 2005. The current PERS contract for the Miscellaneous group is 2% at 55 years. The Memorandum of Understanding between the City and these labor groups calls for an amendment to a 2.5% at 55 years formula by April 1, 2005.)

- a. (1) Adopt "Resolution of Intention" No. 05-xx establishing the City Council's intention to approve an amendment to the Contract between the Board of Administration of the California Public Employees' Retirement System and the City of Paso Robles.; and
- (2) Introduce for first reading Urgency Ordinance No. XXX N.S. authorizing an amendment to the Contract between the City of El Paso de Robles and the Board of Administration of the California Public Employees' Retirement System; and set March 1, 2005, for second reading of said ordinance.

Note: These retirement contract amendments are obligations under current labor agreements.

ROLL CALL VOTE

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

15. [Water Rate Re-structuring - Ad Hoc Committee Formation](#)

M. Compton, Administrative Services Director

Consider appointing an ad hoc committee to consider alternative water rate structures.

OPTIONS:

- a. Appoint a two-member ad hoc committee to assist in the development and preparation of alternative water rate structure; and report back to the full Council by July 1, 2005.
- b. Amend, modify, or reject any of the above option.

VOICE VOTE

COUNCIL COMMENTS

ADJOURNMENT: to THE MID-STATE FAIR ANNUAL DINNER AT 6:30 PM ON FRIDAY, FEBRUARY 11, 2005, AT THE MID-STATE FAIR GROUNDS PAVILION BLDG; TO THE GOAL SETTING WORKSHOP AT 9:00 AM ON SATURDAY, FEBRUARY 12, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, FEBRUARY 15, 2005, 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 FEBRUARY 4, 2005***