

CITY COUNCIL AGENDA

Tuesday, February 15, 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 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. [Zone Change 04-011 \(Linne Road Annexation Area – Annexation No. 88\)](#)

R. Lata, Community Development Director

Consider the Planning Commission's recommendation regarding a pre-zone of property proposed for annexation to the City. (The proposed annexation area includes approximately 31 acres, with 59 parcels and multiple property owners. It is located in the unincorporated County area east of the City, north of Linne Road, and generally east of a northward extension of Airport Road. Pre-zoning of the subject property is a step in the annexation process. The annexation proposal is consistent with, and was anticipated in, the City's General Plan update of December 2003. There is no development proposed at this time.)

OPTIONS:

- a. Make a finding that there is no need for additional environmental assessment in conjunction with the pre-zone as a part of the annexation process; and introduce for first reading Ordinance No. XXX N.S. establishing a pre-zone pattern consistent with the General Plan (which provides for RSF-6 on the Paso Robles Vineyard property and RMF-9 on the "Our Town" property); and set March 1, 2005 as the date for second reading. The pre-zone also includes a 2,786 square foot strip of land (APN 020-211-010) that is owned by Chandler Sand & Gravel, the zoning of which would be designated Planned Manufacturing (PM), consistent with the balance of their property. Entitlements for development of any of the area would be subject to approval of the Candler Ranch Area Specific Plan.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

2. [General Plan Amendment of the Circulation Element – Specific Plan Amendment 03-003 of the Union / 46 Specific Plan and Amendment of Tentative Tract 2369 and PD 00-003 Conditions of Approval \(Applicant: North Coast Engineering for Frank Archiero\)](#)

R. Lata, Community Development Director

Consider applicant's request that the Circulation Element Figure CE-1 and the Union / 46 Specific Plan Map 3.2 be amended to eliminate the planned connection of "A" Street (Montebello Oaks Drive) to North River Road, and other associated planning amendments. (The Union / 46 Specific Plan covers properties located south of Highway 46 East, west of Prospect Avenue, north of Union Road, and east of North River Road. The Planning Commission has recommended approval of these amendments.)

OPTIONS:

- a. (1) Adopt Resolution No. 05-xx approving a Negative Declaration for amendments to the Circulation Element Figure CD-1, Specific Plan 03-003 Map 3.2, Tentative Tract 2369, and PD 00-003 Conditions of Approval.
- (2) Adopt Resolution No. 05-xx approving an amendment to the Circulation Element modifying Figure CE-1 eliminating the "A" Street connection to North River Road, Specific Plan Amendment 03-003 modifying Map 3.2, and amending the associated Conditions of Approval of Tentative Tract 2369 and PD 00-003.

- 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 3 - 8 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 27 and February 1, 2005](#)
D. Fansler, City Clerk
4. [Approve Warrant Register: Nos. 53015 – 53150 \(1/28/05\) and 53153 – 53302 \(2/5/05\)](#)
M. Compton, Administrative Services Director
5. [Receive and file Advisory Body Committee minutes as follows:](#)
Library Board of Trustees meetings of December 16 and 28, 2004
6. [Adopt Resolution No. 05-xx annexing PD 95-009 \(amendment\) as part of Subarea 95 to the Paso Robles Landscape and Lighting District \(L&LD\) No. 1.](#) (The PETCO property is located on the west side of Theatre Drive, just south of Gahan Place, and north of the main entrance to the Target Center. PD 95-009 was approved as an amendment to the Oak Tree Plaza and Target Center by the Planning Commission in March 2003, with the condition that the property be annexed into the L&LD. Applicants have signed a petition and voted in favor of the annexation.)
R. Lata, Community Development Director
7. [Adopt Resolution No. 05-xx annexing PD 02-003 as part of Subarea 94 to the Paso Robles Landscape and Lighting District \(L&LD\) No. 1.](#) (The East Village Shopping Center is located at the northeast corner of Niblick and Creston Roads, and it includes Food4Less. PD 02-003 was approved by the Planning Commission in August 2002, with the condition that the property be annexed into the L&LD. Applicants have signed a petition and voted in favor of the annexation.)
R. Lata, Community Development Director
8. [Adopt Resolution No. 05-xx accepting recordation the 2-foot Irrevocable and Perpetual Offer of Dedication for public road purposes along the east side of Spring Street; and adopt Resolution No. 05-xx accepting the 20-foot wide Grant of Easement for temporary reconstruction of a driveway and grading to accommodate street improvements at 3016 Spring Street.](#) (Applicant Robert Lamb)
R. Lata, Community Development Director

ROLL CALL VOTE

DISCUSSION

9. [Resolution of Intent to Establish a Community Facilities District for Services](#)

R. Lata, Community Development Director

Consider adopting a Resolution of Intent establishing April 5, 2005, as the date on which a public hearing would be held to consider establishment of a Community Facilities District (CFD). The CFD would be intended to cover the incremental cost of providing City services to new residential development. (A CFD has been identified as the most viable means to implement the General Plan policy regarding "Fiscal Neutrality" and avoid new residential development having an adverse impact on existing residents.)

OPTIONS:

- a. Adopt Resolution of Intent No. 05-xx establishing April 5, 2005, as the date for consideration of adoption of a Community Facilities District for City services, based on an average annual mitigation amount of \$657 for each new dwelling unit established through the discretionary entitlement process.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

10. [1234 Pine Street – Consideration of Applicant’s Response to Council Direction of November 16, 2004](#)

R. Lata, Community Development Director

Consider acting upon 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 assessment shows that the building is leaning and rotating four inches, exceeding limits set by code for this type of building. The property owner’s initial Appeal was filed in May 2004. The Appeal has been opened and continued four times to allow the owner’s tenant time to secure a structural assessment of the building.)

OPTIONS:

- a. For the City Council to confirm the Notice and Order by directing the property owner to vacate the public use of the building (lower floor) by March 15, 2005 and for it to remain vacant until such time as the questions asked in the City’s December 29, 2004 letter are addressed.
- b. Direct staff to cause a complete assessment to be conducted by an engineer selected by the City, with the cost of such, including all administrative costs, becoming a tax lien on the property. The assessment would be conducted by permission of the property owner or by obtaining an inspection warrant from the court should the owner not allow the City to access the building for assessment. Findings and recommendations from the City’s Engineer would be presented to City Council at a future meeting.
- c. Amend, modify, or reject the above options.

ROLL CALL VOTE

11. [Request to Remove One Oak Tree – 3201 Spring Street \(Paso Robles Youth Arts Foundation\)](#)

R. Lata, Community Development Director

Consider a request to remove one 57-inch diameter Valley Oak tree at 3201 Spring Street. (Property is on the north side of 32nd Street, between Spring and Oak Streets. The oak is located midway back on the 32nd Street side of the parcel, between the sidewalk and the existing parking lot.)

OPTIONS:

- a. Adopt Resolution No. 05-xx approving the oak tree removal request based on the findings, conclusions, and recommendations of the Arborist Reports identifying the tree as over-mature and in poor condition; and that replacement trees are not required, based on the tree's decline not being the fault of the property owner.
- b. Amend, modify, or reject one of the above option.

ROLL CALL VOTE

12. [Request to Remove One Oak Tree – 1612 Oak Street \(Stevens\)](#)

R. Lata, Community Development Director

Consider a request to remove one 33-inch diameter Coast Live Oak tree at 1612 Oak Street. (Applicant: Calvin Stevens. Property is on northeast corner of 16th and Oak Streets. Tree is located at property line, adjacent to the alley.)

OPTIONS:

- a. Adopt Resolution No. 05-xx approving the oak tree removal request based on the findings, conclusions, and recommendations of the Arborist Reports identifying the tree as structurally weak and the removal as necessary to prevent further damage to the existing structures; and that replacement trees are not required, based on the tree's decline not being the fault of the property owner.
- b. Amend, modify, or reject one of the above option.

ROLL CALL VOTE

13. [Street Abandonment 04-007 – Portion of Kleck Road \(Sylvester\)](#)

R. Lata, Community Development Director

Consider approving a "Resolution of Intent" to abandon an unimproved variable width portion of Kleck Road right-of-way, approximately 200 feet north of Windsong Way. (Applicant: Steve Sylvester. The purpose of abandonment request is to expand residential use of the abandoned area. The Planning Commission unanimously recommended approval. The request was found to be consistent with the Streets and Highway Code and the City's General Plan; and no concerns have been raised by the Department of Emergency Services regarding the proposed abandonment.)

OPTIONS:

- a. Adopt Resolution of Intent No. 05-xx abandoning a portion of Kleck Road right-of-way, roughly 200 feet north of Windsong Way as shown on Exhibit "A"; and setting March 15, 2005, in the Paso Robles City Hall, 1000 Spring Street, for a public hearing for all persons interested or having objection to the proposed closing.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

14. General Plan Implementation: Purple Belt Action Plan

R. Lata, Community Development Director

Consider selection of a contract services team to prepare a Purple Belt Action Program. (A Purple Belt is intended to buffer the eventual edge of the City through the preservation and encouragement of agriculture and open space. The City issued a Request for Proposals [RFP] to qualified consultants, with two firms responding.)

OPTIONS:

- a. Select the team consisting of Economic & Planning Systems and Design, Community & Environment, and Sage Associates to work with the City to complete preparation of the Purple Belt Action Plan; authorize the City Manager to enter into an agreement to have the work done in a manner substantially consistent with the proposal dated December 2004, with a total program budget of \$120,000; and adopt Resolution No. 05-xx authorizing transfer of the necessary resources from the funds carried over to implement the adopted General Plan.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

15. Contract Award - Centennial Park Improvements

B. Partridge, Library & Recreation Services Director

Consider awarding a construction contract to install improvements at Centennial Park. (In May 2003, Council directed staff to prepare construction documents for this project and advertise for bids. One bid was received and rejected. The bid documents were restructured between "Base Bid" and "Alternate Bid" categories. Three bids were received at the bid opening on January 20, 2005, with Wysong Construction being the low bidder.)

OPTIONS:

- a. Adopt Resolution No. 05-xx to (1) appropriate \$69,900 for the additional grant fund received; and (2) authorize award of contract to Wysong Construction for the Centennial Park project as follows:

Base bid	\$ 571,900
Interior painting of gym	42,400
Refinish gym floor	<u>18,500</u>
	\$ 632,800

- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

16. **City Landfill - Liner Repair Monitoring**

Brad Hagemann, Water Resources Manager

Consider awarding a contract to design and install one monitoring well and two vapor probes at the landfill in response to a liner tear and subsequent repair. (Following repair of the tear in March 2000, Todd Engineers prepared a Work Plan for monitoring potential impacts from the initial tear. The Plan recommended installation of a ground water monitoring well and two vapor probes. It was submitted to the Regional Water Quality Control Board in December 2004 and approved in January 2005, with a required completion date of July 2005.)

OPTIONS:

- a. Adopt Resolution No. 05-xx appropriating \$134,100 from General Fund reserves; authorizing the City Manager to execute a contract with Todd Engineers for engineering work associated with the Work Plan implementation; awarding a contract for the vapor probe and well installation to the lowest responsible bidder; and authorizing the City Manager to execute documents necessary to obtain reimbursement for all such costs from Pacific Waste Services.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

17. **Award Contract – Wood Grinding & Hauling at Paso Robles Landfill**

M. Williamson, Interim Public Works Director

Consider awarding a contract to provide wood grinding and hauling services at the Landfill. (The City utilizes contract assistance for the grinding [chipping] and hauling of wood materials that are separated from other refuse at the Landfill. Following the publication of a Request for Quotations, one quote was received from Vision Recycling.)

OPTIONS:

- a. Adopt Resolution No. 05-xx appropriating \$35,000 from General Fund reserves to Account No. 100-310-5212-167 awarding a 2-year contract to provide wood grinding and hauling services at the Landfill to Vision Recycling in an amount up to \$35,000 ; and authorizing the City Manager to execute said contract on behalf of the City.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

CITY MANAGER

18. **Schedule Date for Applicant Interviews/Appointments – Housing Authority**

J. App, City Manager

Select date for conducting interviews and making appointments for vacancies on the Housing Authority.

1 vacancy – 4-year “at large” term, expiring February 28, 2009 *

APPLICANTS

Pearl Munak

1 vacancy – 4-year “resident” term, expiring February 28, 2009 **

APPLICANTS

Arminda Cabel
Andres Perales

* Per §34270.1 of the Health & Safety Code, all commissioners must be residents of the City of Paso Robles. Failure to maintain residency will cause the office to be vacant.

** Of the seven commissioners on the Board, two must be residents of the Authority.

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

19. [Highway 46 East Corridor and Related State Highway Traffic Issues - Ad Hoc Committee Formation](#)

R. Lata, Community Development Director

Consider appointing an ad hoc committee to address issues relating to the Highway 46 East Corridor Study and related projects.

OPTIONS:

- a. Appoint a two-member ad hoc committee to work with staff to address issues relating to the Highway 46 East Corridor Study and related projects; and report back to the full Council by September 19, 2006.
- b. Amend, modify, or reject any of the above option.

VOICE VOTE

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: Two

ADJOURNMENT: to THE REGULAR MEETING AT 7:30 PM ON TUESDAY, MARCH 1, 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 18, 2005***