

CITY COUNCIL AGENDA

Tuesday, May 3, 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. [Street Abandonment 04-006 \(38th Street – Vernon\)](#)

R. Lata, Community Development Director

Consider abandoning an unimproved variable width portion of 38th Street right-of-way between Vine and Oak Streets. (Applicant Brad Vernon submitted this abandonment request for the purpose of expanding residential use of the parcels adjacent to the proposed abandonment area.)

OPTIONS:

- a. Adopt Resolution No. 05-xx denying the request of the applicant to abandon 38th Street between Vine and Oak Streets.
- b. Adopt Resolution No. 05-xx abandoning 38th Street right-of-way between Vine and Oak Streets, but retain public easements for water and sewer as shown on Exhibit A.
- c. Amend, modify, or reject the above options.

ROLL CALL VOTE

2. [Code Amendment 04-007: Multiple Family Residential Regulations](#)

R. Lata, Community Development Director

Consider a City-initiated amendment to the Zoning Code to revise the multiple family residential development regulations. (This amendment would establish development regulations for residential multiple family developments of 20 units per acre.) CONTINUED FROM APRIL 5, 2005

OPTIONS:

- a. (1) Adopt Resolution No. 05-xx approving a Negative Declaration for Code Amendment 04-007; and
(2) Introduce for first reading Ordinance No. XXX N.S. amending the Zoning Code to revise multiple family residential development regulations; and set May 17, 2005, as the date for adoption of said Ordinance.
- 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 3-10 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

3. [Approve City Council minutes of April 19, 2005](#)
D. Fansler, City Clerk
4. Receive and file Advisory Body Committee minutes as follows:
[Library Board of Trustees meeting of March 10, 2005](#)
[Parks & Recreation Advisory Committee meeting of March 8, 2005](#)
[Pioneer Museum Board meeting of March 10, 2005](#)
[Senior Citizen Advisory Committee meeting of March 14, 2005](#)
5. [Approve Warrant Register: Nos. 54570 – 54734 \(4/15/05\) and 54735 – 54884 \(4/22/05\)](#)
M. Compton, Administrative Services Director
6. [Adopt Resolution No. 05-xx awarding a contract for construction of an in-roadway signal system \(CDBG-funded – DPW 04-13\) to the low bidder Lee Wilson Electric of Arroyo Grande for \\$57,308.00.](#) (One bid was received on April 13th. Staff reviewed the bid submitted by Lee Wilson Electric and found it to be complete, responsive, and responsible.)
R. Lata, Community Development Director
7. [Adopt Resolution No. 05-xx accepting the recordation of Parcel Map PR 03-0163, a 2-lot residential subdivision at 2245 Vine Street.](#) (Applicants: Joe and Steve Pahler. Property is located on Vine, north of 22nd Street. All conditions imposed by the Planning Commission have been satisfied.)
R. Lata, Community Development Director
8. [Adopt Resolution No. 05-xx authorizing the recordation of Tract 2593, and authorizing the Mayor to execute the Subdivision Improvement Agreement guaranteeing the construction of the subdivision improvements, with an established deadline of May 3, 2007, to complete these improvements; and adopt Resolution No. 05-xx annexing Tract 2593 into the Landscape and Lighting District.](#) (Applicants: Highlands Paso Robles, LLC. This is a 55-lot subdivision located along the westerly extension of Red Cloud Road and the northerly extension of Navajo Avenue. Applicants have signed a petition and voted in favor of annexation into the L&LD.)
R. Lata, Community Development Director
9. [As the work of the committee was completed in January when Council adopted the City-wide Traffic Calming Plan, discharge the ad hoc committee for traffic calming formed in December 2003.](#)
D. Monn, Interim Public Works Director
10. [Approve a fee waiver of City fees related to improvements to the Pioneer Museum, requiring the Museum to reimburse the City for its out-of-pocket costs.](#) (Council has approved past fee waiver requests for the Pioneer Museum, based on the facility being on City property.)
R. Lata, Community Development Director

ROLL CALL VOTE

DISCUSSION

11. [Request to Remove Oak Tree – 1733 Mesa Road \(Gomez\)](#)

R. Lata, Community Development Director

Consider approving request to remove one Blue Oak tree at 1733 Mesa Road. (Applicant Tara Gomez is requesting the removal of one 16-inch Blue Oak on her property. Arborist Ted Elder recommends the tree be removed as soon as possible, as the outer bark of the tree is destroyed from past fire damage, has signs of rot and burrowing insects, as well as an infestation of woodworm.)

OPTIONS:

- a. Adopt Resolution No. 05-xx approving the oak tree removal request based on the findings, conclusions, and recommendations of the Arborist Report identifying the tree as being in poor condition; and require that three (3) 1.5-inch diameter replacement trees be planted at the direction of the arborist.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

12. [Use of Septic System – 3340 Airport Road \(Handley\)](#)

R. Lata, Community Development Director

Consider allowing septic tank and leach field usage for the construction of an agricultural accessory building at 3340 Airport Road, north of Highway 46 and south of Dry Creek Road. (The nearest available sanitary sewer main is at the intersection of Dry Creek Road and Airport Road, approximately one-half mile to the north.)

OPTIONS:

- a. Adopt Resolution No. 05-xx authorizing use of a septic system for an agricultural accessory building at 3340 Airport Road (APN 025-431-077/Handley) subject to Conditions “a” through “k” as stated in Municipal Code Section 14.08.070 K 4 “Conditions.”
- b. Deny the request to use a septic system at 3340 Airport Road and direct applicant to extend a sanitary sewer main to the subject property from west of the intersection of Dry Creek Road and Airport Road.
- c. Amend, modify, or reject the above options.

ROLL CALL VOTE

13. [Condition of Approval Regarding Participation in Community Facilities District or Equivalent Mitigation](#)

R. Lata, Community Development Director

Consider the text of a revised standard condition of approval in relation to mitigation of fiscal impacts created by new residential development. (The proposed revision to the standard condition of approval on discretionary applications creating new residential units is intended to provide fiscal mitigation even if, for whatever reason, participation in a Community Facilities District [CFD] is not feasible.)

OPTIONS:

- a. Approve the proposed standard condition for fiscal impact mitigation, focusing on a CFD, but providing alternative mitigation.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

14. [Initiate Proceedings for Annual Levy of Landscape & Lighting District Fiscal Year 2005-2006](#)

D. Monn, Interim Public Works Director

Consider initiating proceedings for annual levy of the Landscape & Lighting District for fiscal year 2005/2006. (A Landscape and Lighting District was formed in 1989 for the maintenance of streetlights, hardscapes, detention basins, parkways, median islands, open space, slopes, and other appurtenant facilities and operations relating to the L&L District. Adoption of the Engineer's Levy Report to allow assessment occurs between April and June of each year, and it is forwarded to the County by the end of June, so that it can be included in property tax assessments.)

OPTIONS:

- a. (1) Adopt Resolution No. 05-xx initiating proceedings for the Annual Levy for the maintenance of District facilities; and
- (2) Adopt Resolution No. 05-xx declaring the Intent to Levy and cause a notice to be published for a public hearing to be scheduled on June 7, 2005; and
- (3) Adopt Resolution No. 05-xx adopting the Draft Preliminary Engineer's Levy Report as presented and making it available to the public for review and comment.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

15. [Emergency Services Reserve Firefighter and Volunteer Programs](#)

K. Johnson, Chief of Emergency Services

Consider initiating a Reserve Firefighter Program. (In April 2004, the volunteer firefighter program was concluded due to increasing Federal and State training and certification demands placed on volunteers. The Emergency Services Department has examined several alternatives to volunteer firefighters in meeting the medical, fire, and rescue needs of the community. It was determined that a program similar to that employed by the Police Department represented the best solution.)

OPTIONS:

- a. Authorize the Emergency Services Chief to proceed with initiating a Reserve Firefighter Program as presented.
- 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 – Existing Litigation**

Subdivision (a) of Government Code Section 54956.9
Home Builder's Association of Central Calif. (Plaintiff) vs.
City of Paso Robles (Defendant)
Case No. CV 050232

ADJOURNMENT: to CHAMBER OF COMMERCE MIXER FOR 10TH ANNIVERSARY OF LIBRARY AT 5:30 PM ON WEDNESDAY, MAY 11, 2005, AT THE CITY LIBRARY, 1000 SPRING STREET; TO BUDGET WORKSHOP AT 7:00 PM ON THURSDAY, MAY 12, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, MAY 17, 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 MAY 6, 2005*