

# **CITY COUNCIL AGENDA**

**Tuesday, June 7, 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

1. [Recognition of San Luis Obispo Collaborative Housing Team](#)

F. Mecham, Mayor

Special recognition of the SLO Collaborative Housing Team for their recent accomplishment in winning the *2005 Bank of America Low-Income Housing Challenge* with their Oak Park Renovation Project. Attending will be faculty advisor D. Gregg Doyle and team members Jaclyn Anderson, Beth Cornett, Gema Cristobal, Sam Dean, Charles Dellinger, Elizabeth FitzZaland, Nathan Gilbert, Irwin Gozali, Sarah Hedger, Joe Karten, Emily Mah, Alexander Meyer, Calvin Patmont, Race Randal, Brian Soland, Megan Tsang and Rosa Zingg.

2. [Recognition of Gold Medal Winners - State of California SkillsUSA Competition 2005](#)

F. Mecham, Mayor

Recognition of Paso Robles High School Regional Occupational Program Gold Medal winners in the *State of California 2005 SkillsUSA Competition*. Gold medalists are Kelsey Stewart, Kelly Vargas, Leah Powell and Roseanne Carter *Health Knowledge*; Chris Ritter *Plumbing*; Monique Smaby *Culinary Arts*; Matt Reed *Sheet Metal*; Jesse Dabill *Computer Repair*; Fiona Harris *First Aid/CPR*; Casey Wood *Marine Service Technology*; Lucas Lawson *Residential Writing*; and Ian Sheehy *TIG Welding*. Also being recognized are John Stokes (Coordinator of Regional Occupational Program); Rod Blackner (Director of Food Service, PR Public Schools); Executive Chef Phillip Riccomini *Culinary Arts*; and instructors Todd Olivera *Health*; Bartt Frey *Computers*; and Randy Canaday *Construction*.

## PUBLIC HEARINGS

3. [Appeal of Planning Commission Approval of Planned Development 05-001 - Firestone Winery \(Appellant: Caltrans / Applicant: Adam Firestone\)](#)

R. Lata, Community Development Director

Consider an appeal filed by the California Department of Transportation (Caltrans). The appeal relates to the Planning Commission's approval of an application for a planned development to construct a 10,000 square foot winery and visitors center. (Project site is 9.58 acres located on the northeast corner of Highway 46 East and Airport Road. Applicant is seeking to construct a winery with wine tasting facility, exhibits, retail sales, a private banquet room, wine storage and bottling area, caretaker's residence, and demonstration garden. The building and area of development is proposed near the southwest area of property and would be accessed from a driveway on Airport Road.)

### OPTIONS:

- a. Uphold the Planning Commission's approval of the subject project by adopting Resolution No. 05-xx approving Planned Development 05-001, subject to findings and subject to standard and site specific conditions.
- b. Determine what legally supportable grounds/findings there would be to deny the subject Planned Development and direct staff to prepare a resolution containing those findings for City Council consideration at the June 21, 2005, City Council meeting.
- c. Amend, modify, or reject the above option.

## ROLL CALL VOTE

4. [2-Year Operating Budget and 4-Year Financial Plan – Fiscal Year 2005-06 to 2008-09](#)

J. App, City Manager, and M. Compton, Administrative Services Director

Consider adoption of the 2-year operating budget and 4-year financial plan, including Capital Improvement Projects budget. (Council held two public budget workshops to review the proposed budgets. Council's ad hoc budget committee and staff have undertaken a lengthy review of the preliminary financial plan, operating budget, and capital improvement projects budget.)

**OPTIONS:**

- a. Adopt Resolution No. 05-xx approving the 2-year operating budget, 4-year capital improvement projects budget, and 4-year financial plan for fiscal year 2006 through 2009.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

5. [Water User Fees – Rate Restructuring](#)

M. Compton, Administrative Services Director

Consider introduction and first reading of an ordinance modifying the rate structure for water consumption, or *user*, fees. (The City's current bi-monthly billing for water consumption is based upon a flat, or fixed, rate for water up to and including the first 20 units consumed (1 unit = 748 gallons). Council's ad hoc committee recommends "no flat rate/no minimum consumption" or a "pay-as-you-go" option. This proposed rate re-structuring is intended to be "revenue neutral," i.e., the City would realize no financial gain or loss.)

**OPTIONS:**

- a. Introduce for first reading Ordinance No. XXX N.S. modifying water rate structures; and set June 21, 2005, as the date for adoption of said Ordinance.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

6. [Annual Levy Report for the Landscape & Lighting District](#)

D. Monn, Interim Public Works Director

Consider adopting resolutions to order collection of assessments for the Landscape and Lighting District (L&L 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 approving the Engineer's Annual Levy Report; and  
(2) Adopt Resolution No. 05-xx ordering the levy and collection of assessments.
- 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 7-16 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

7. [Approve City Council minutes of May 17, 2005](#)  
D. Fansler, City Clerk
8. [Approve Warrant Register: Nos. 55113 – 55267 \(5/13/05\), 55268 – 55425 \(5/20/05\) and 55426 – 55537 \(5/27/05\)](#)  
M. Compton, Administrative Services Director
9. Receive and file Advisory Body Committee minutes as follows:  
[Airport Advisory Committee meeting of April 28, 2005](#)  
[Library Board of Trustees meeting of April 24, 2005](#)  
[Pioneer Museum Board meeting of April 14, 2005](#)  
[Senior Citizen Advisory Committee meeting of April 11, 2005](#)  
[Youth Commission meeting of March 2, 2005](#)
10. [Proclamation – Special Olympics – Law Enforcement Torch Run Days](#)  
F. Mecham, Mayor
11. [Read, by title only, and adopt Ordinance No. XXX N.S. establishing additional standards for underground storage tank facilities to protect public drinking water supplies and limited ground water resources.](#) (This ordinance is consistent with recent amendments of the County Code and facilitates consistent administration of underground tank installations by County Environmental Health.) 1<sup>ST</sup> READING MAY 17, 2005  
D. Monn, Interim Public Director
12. [Adopt Resolution No. 05-xx authorizing the recordation of Tract 2521 and authorizing execution of the Subdivision Improvement Agreement for Tract 2521 guaranteeing the construction of the subdivision improvements, with an established deadline of June 7, 2007, to complete these improvements; and adopt Resolution No. 05-xx annexing Tract 2521 into the Landscape and Lighting District \(L&LD\).](#) (Applicants: John and June Bertoni. Tract 2521 is a 9-lot subdivision of an 11.9-acre site located along the north side of the westerly extension of 21<sup>st</sup> Street. Applicants have signed a petition and voted in favor of annexation into the L&LD.)  
R. Lata, Community Development Director

13. [Adopt Resolution of Intent No. 05-xx to consider abandoning the 80-foot wide right-of-way of Oak Street from 3rd Street to 4th Street \(as shown on Exhibit A\): and setting July 5, 2005, in the Paso Robles City Hall, 1000 Spring Street, for public hearing for all persons interested or having objection to the proposed closing.](#) (Abandonment request was submitted by Dick Morris and Joe Cardinale for the purpose of expanding residential use of the parcels adjacent to the abandoned area.)  
R. Lata, Community Development Director
14. [Adopt Resolution No. 05-xx appropriating \\$15,000 from the Building Education Reserve Fund 114 to cover the cost of education of Building Division personnel for fiscal year 2005.](#) (The State Health and Safety Code requires jurisdictions to provide continuous education of Building Division personnel. The Building Division collects development fees specifically earmarked to cover the cost of this state mandated program.)  
R. Lata, Community Development Director
15. [Extend duration of the City Council transit issues ad hoc committee \(Mayor Mecham and Councilmember Picanco\) to October 4, 2005.](#)  
A. Robb, Interim Library & Recreation Services Director
16. [Adopt Resolution No. 05-xx appropriating \\$16,800 to cover the cost of electronic archiving for fiscal year 2005.](#) (The State Health and Safety Code requires jurisdictions to archive copies of building plans associated with commercial, industrial, and multi-family development. The City's Building Division contracts this work to an outside vendor and the cost collected from the developer. At the end of each budget year, an allocation is required to cover the cost of electronic archiving for that year.)  
R. Lata, Community Development Director

#### **ROLL CALL VOTE**

#### **DISCUSSION**

17. [Downtown Alley Closure – 801 12th Street \(Mastagni\)](#)  
R. Lata, Community Development Director

Consider authorizing the closure of a portion of the alley located behind (north of) 801 12<sup>th</sup> Street for seven days, between Monday, June 13<sup>th</sup>, and Monday, June 27<sup>th</sup>. (Request for alley closure by J. W. Design & Construction is made for the installation of shoring, which will allow for safe excavation of building foundations and underground utilities.)

#### **OPTIONS:**

- a. Authorize the issuance of an encroachment permit by the Public Works Department and authorize the City Engineer to approve the request for closure of a portion of the alley north of 801 12<sup>th</sup> Street.
- b. Amend, modify, or reject the above option.

#### **ROLL CALL VOTE**

18. [Displays and Art in the Library](#)

A. Robb, Interim Library & Recreation Services Director

Consider Art Policy and Guidelines recommended by the Library Board of Trustees. (In response to increased requests for art and display space, the Library Board of Trustees developed and recommends a policy and guidelines for art and displays in the Library. The Library is considered a limited public forum and, as such, is subject to First Amendment provisions.)

**OPTIONS:**

- a. Approve the Paso Robles Public Library Policy & Guidelines for Selection of Art and Displays.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

19. [Arborist Report Guidelines](#)

R. Lata, Community Development Director

Consider approving Oak Tree Preservation Report Guidelines establishing standard requirements to be included in Arborist Reports for projects in the City limits. (The intent of the Guidelines is to require arborists to prepare reports that would have minimum standard content and form.)

**OPTIONS:**

- a. Adopt Resolution No. 05-xx adopting the Oak Tree Preservation Report Guidelines establishing standard requirements to be included in arborist reports in the City of Paso Robles.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

20. [Award Change Order to Relocate Booster Pump and Telemetry at Water Yard](#)

D. Monn, Interim Public Works Director

Consider approving a change order to the Whitaker Contractors contract for the 13<sup>th</sup> Street Bridge Widening Project in order to relocate the water booster pump and telemetry at the Water Yard to the east side of the Salinas River. (The new location will be in an area that is to be improved as part of the 13<sup>th</sup> Street Bridge project. The final design was submitted to Whitaker Contractors to provide the cost to perform the work under a Change Order to their contract.)

**OPTIONS:**

- a. Adopt Resolution No. 05-xx authorizing a Change Order to the 13<sup>th</sup> Street Bridge contract to Whitaker Contractors in the amount of \$643,549.70.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**21.** [Executive Search – Community Development Director](#)

J. App, City Manager

Consider engaging outside assistance to conduct a statewide search for a Director of Community Development. (The City's current Director plans to retire in December 2005.)

**OPTIONS:**

- a. Authorize the City Manager to execute a contract with Avery & Associates for executive search services, and appropriate funds if/as needed.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**CITY MANAGER** - None

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION** - None

**AD HOC COUNCIL BUSINESS**

**22.** [Ad Hoc Committee Formation – Pacific Waste Services Revenue Sharing Increase Request](#)

M. Compton, Administrative Services Director

Consider appointing an ad hoc committee to assist in the review of Pacific Waste Services' (PWS) request for a revenue sharing increase. (The current contract provides that under certain circumstances, PWS may request an adjustment in the revenue distribution formula.)

**OPTIONS:**

- a. Appoint a two-member ad hoc committee to review and make recommendations regarding the request by Pacific Waste Services to increase their share of landfill revenues; and report back to the full Council by August 2, 2005.
- b. Amend, modify, or reject any of the above option.

**VOICE VOTE**

23. [Ad Hoc Committee Formation – Review of Requests for Proposals for Engineering Services at the Paso Robles City Landfill](#)

B. Hagemann, Water Resources Manager

Consider appointing an ad hoc committee to review the Request for Proposals and staff's recommendations prior to review and award of a contract.

**OPTIONS:**

- a. Appoint a two-member ad hoc committee to review the Request for Proposals for engineering services at the Paso Robles Landfill; and report back to the full Council by August 2, 2005.
- b. Amend, modify, or reject any of the above option.

**VOICE VOTE**

**COUNCIL COMMENTS**

**PUBLIC COMMENT ON CLOSED SESSION**

Public comments limited to Closed Session items only.

**CLOSED SESSION**

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

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

Subdivision (c of Government Code Section 54956.9

Initiation of litigation

Number of Cases: One

**ADJOURNMENT:** to CREEKSIDE GARDENS GROUNDGRAKING AT 1000 AM ON FRIDAY, JUNE 10, 2005, AT 401 OAKHILL ROAD; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, JUNE 21, 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 JUNE 10, 2005*