

# **CITY COUNCIL AGENDA**

**Tuesday, August 16, 2005 7:30 PM**

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL  
CONFERENCE CENTER, 1000 SPRING STREET**

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**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. [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 Proposing to Eliminate the Planned Connection of Street "A" to North River Road \(Applicant's Representative: North Coast Engineering for Frank Arciero\)](#)

R. Lata, Community Development Director

Reconsider 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 applicant has proposed a new alternative intended to mitigate the elimination of the "A" Street connection. 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.)

### OPTIONS:

#### a. Planning Commission Recommendation

1. Adopt Resolution No. 05-xx approving a Mitigated Negative Declaration for Amendments to the Circulation Element Figure CE-1, Union/46 Specific Plan Map 3.2, and Tentative Tract 2369 and PD 00-003 Conditions of Approval, to mitigate potential traffic impacts to Skyview Drive by requiring the applicants to prepare a Traffic Calming Study and construct traffic calming measures if warranted; and to mitigate additional impacts to Union Road by paying mitigation fees for the pro-rata share of corresponding additional impact costs resulting from the elimination of 'A' Street.
2. Adopt Resolution No. 05-xx approving the elimination of 'A' Street from connecting to North River Road by amending the Circulation Element Figure CE-1, the Union/46 Specific Plan by modifying Map 3.2, and amending the associated Conditions of Approval for Tentative Tract 2369 and PD 00-003 to eliminate the required connection of 'A' Street (Montebello Oaks Drive) to North River Road.

#### b. Applicant's Request

1. Adopt Resolution No. 05-xx approving a Mitigated Negative Declaration for Amendments to the Circulation Element Figure CE-1, Specific Plan 03-003 Map 3.2, Tentative Tract 2369 and PD 00-003 Conditions of Approval, to mitigate potential traffic impacts to Union Road by accepting mitigation fees of \$500,000.
2. Adopt Resolution No. 05-xx approving the elimination of 'A' Street from connecting to North River Road by amending the Circulation Element Figure CE-1, the Union/46 Specific Plan by modifying Map 3.2, and amending the associated Conditions of Approval for Tentative Tract 2369 and PD 00-003 to eliminate the required connection of 'A' Street (Montebello Oaks Drive) to North River Road.

**c. Another Alternative**

1. Adopt Resolution No. 05-xx approving a Mitigated Negative Declaration for Amendments to the Circulation Element Figure CE-1, Specific Plan 03-003 Map 3.2, Tentative Tract 2369 and PD 00-003 Conditions of Approval, to mitigate potential traffic impacts to Union Road and Skyview Drive by accepting mitigation fees of \$500,000, with the City preparing the Traffic Calming Study and constructing traffic calming measures if warranted.
  2. Adopt Resolution No. 05-xx approving the elimination of 'A' Street from connecting to North River Road by amending the Circulation Element Figure CE-1, the Union/46 Specific Plan by modifying Map 3.2, and amending the associated Conditions of Approval for Tentative Tract 2369 and PD 00-003 to eliminate the required connection of 'A' Street (Montebello Oaks Drive) to North River Road.
- d. Deny the Applicant's request, thereby maintaining the Conditions of Approval that require construction of 'A' Street prior to recordation of the Final Map for the last phase of Montebello Oaks Estates.
- e. Amend, modify, or reject the above options.

**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 2-11 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

2. [Approve City Council minutes of August 2, 2005](#)  
D. Fansler, City Clerk
3. [Approve Warrant Register: Nos. 56552 – 56670 \(7/29/05\) and 56671 – 56828 \(8/5/05\)](#)  
M. Compton, Administrative Services Director
4. [Read, by title only, and adopt Ordinance No. XXX N.S. to bring the zoning of the property at 1640 Kleck Road into conformity with the General Plan and amend the Union/46 Specific Plan in a manner consistent with the General Plan.](#) (This code amendment will provide consistency between the General Plan Land Use Map, City Zoning Map, and Union/46 Specific Plan. A development project is not proposed at this time.) 1ST READING AUGUST 2, 2005  
R. Lata, Community Development Director
5. [Adopt Resolution No. 05-xx approving an appropriation limit of \\$31,679,132 for the fiscal year 2005-06 operating and maintenance budget.](#) (The State Constitution requires state and local governments to annually adopt an appropriations limit.)  
M. Compton, Administrative Services Director

6. [Adopt Resolution No. 05-xx approving a lease-purchase agreement and various related documents with Municipal Finance Corporation for the purchase of a heavy rescue vehicle and authorize the Director of Administrative Services/City Treasurer to execute any and all documents associated with said financing.](#) (Requests for quotes for lease-purchase financing were distributed to 12 firms. Municipal Finance Corporation quoted the lowest interest cost at 3.67% with no additional fees or charges and a \$1 buy-out at expiration date.)  
M. Compton, Administrative Services Director
7. [Adopt Resolution No. 05-xx authorizing the City Treasurer to execute a lease contract with Sympro for investment management software.](#) (The City currently manages its investment portfolio manually with spreadsheet software. It is expected that software specifically designed for investment management will be more efficient and yield increased interest income to the City.)  
M. Compton, Administrative Services Director
8. [Adopt Resolution No. 05-xx authorizing a reimbursement to Mike Harrod, subdivider of Tract 2422, for the cost of design and installation of a 27-inch sewer line in the amount of \\$245,078, a 16-inch water line in the amount of \\$175,298, and two 60-inch storm drain lines in the amount of \\$215,142.](#) (On August 2, 2005, Council approved reimbursement to Mike Harrod for improvements in South River Road in conjunction with the development of Tract 2422.)  
R. Lata, Community Development Director
9. [Adopt Resolution No. 05-xx appropriating \\$15,200 from General Fund Reserves to pay for contract services related to formation of City's Community Facilities District \(CFD\); and authorize Director of Administrative Services to establish a reimbursement to the General Fund regarding the \\$145,430 costs of establishing the CFD.](#) (In April 2005, Council approved formation of a CFD. The requested appropriation would close out the budget for David Taussig and Associates for the preparation of the CFD.)  
R. Lata, Community Development Director
10. [Adopt Resolution No. 05-xx rescinding the Water Shortage Emergency.](#) (Subsequent to the December 2003 San Simeon earthquake, the City implemented a Water Conservation Plan to assist in conserving water. The damaged water tanks have now been repaired, and pursuant to the California Water Code, the emergency restriction must now be rescinded.)  
D. Monn, Interim Public Works Director
11. [Adopt Resolution No. 05-xx authorizing award of a contract in the amount of \\$30,057 for engineering services to evaluate pilot study results and prepare pre-design project report for Sherwood water wells.](#) (In response to new EPA regulations regarding acceptable levels of arsenic in drinking water supplies, a Request for Qualifications was issued to pre-qualify vendors interested in supplying the City with arsenic removal equipment. Five equipment suppliers committed to participating in the pilot testing program. Because of their familiarity with the City's needs, Boyle Engineering was asked to provide a proposal to assist in preparation and evaluation of the pre-qualification treatment pilot study.)  
D. Monn, Interim Public Works Director

## **ROLL CALL VOTE**

## DISCUSSION

### 12. [Request to Remove Two Oak Trees – PD 02-016, South Vine Street](#)

R. Lata, Community Development Director

Consider a request to remove two oak trees (a 32-inch diameter valley oak and a 25-inch diameter Blue Oak) to accommodate pavement widening on South Vine Street. (The oak trees proposed for removal are within the existing right-of-way of South Vine Street, and are in conflict with the future widening of South Vine Street. An arborist report describes the trees as being in poor health.) CONTINUED FROM JULY 5, 2005

#### OPTIONS:

- a. Adopt Resolution No. 05-xx approving the request to remove two oak trees in the South Vine Street right-of-way predicated on the facts that the trees are in direct conflict with planned improvements to South Vine Street and that both trees are in poor health; and requiring the developer of the adjacent property to mitigate the loss of the trees by planting a replacement ratio of trees equivalent to 14 inches in diameter (7 two-inch trees, for example) to be planted in locations that are appropriate for the species as determined by a horticulture professional.
- b. Amend, modify, or reject the above option.

#### ROLL CALL VOTE

### 13. [Request to Remove Two Oak Trees – Tentative Tract 2654](#)

R. Lata, Community Development Director

Consider a request to remove two oak trees (a 50-inch diameter valley oak and a 42-inch diameter valley oak) to accommodate improvements to South River Road. (The oak trees proposed for removal are within the existing right-of-way of South Vine Street and are in conflict with plans for widening South River Road in accordance with Arterial Standard A-1. An arborist report describes the trees as being in poor health.)

#### OPTIONS:

- a. Adopt Resolution No. 05-xx approving the request to remove two valley oak trees in the South River Road right-of-way predicated on the facts that the trees are in direct conflict with planned improvements to South River Road and that both trees are in poor health; and requiring the developer of the adjacent property to mitigate the loss of the trees by planting a replacement ratio of trees equivalent to 24 inches in diameter (12 two-inch trees, for example) to be planted in locations that are appropriate for the species of tree as determined by a horticulture professional.
- b. Amend, modify, or reject the above option.

#### ROLL CALL VOTE

14. [Water User Fee Ordinance – Rate Restructuring](#)

M. Compton, Administrative Services Director

Consider adoption of an ordinance modifying the rate structure for water 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.) FIRST READING JUNE 7, 2005

**OPTIONS:**

- a. Read by title only, and adopt Ordinance No. XXX N.S. to modify the water rate structure.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

15. [Salinas River Corridor](#)

A. Robb, Interim Library & Recreation Services Director/M. Williamson, Assistant to the City Manager

Receive status report of Salinas River grant project and design workshop efforts. (In December 2004, Council directed several actions for the planning and enhancement of the Salinas River corridor: River Parkway Project and Follow the River/Follow the Dream Design Workshop.)

**OPTIONS:**

- a. Receive and file.
- b. Amend, modify, or reject the above option.

**VOICE VOTE**

16. [Workforce Housing Grant - Confirmation of Projects](#)

R. Lata, Community Development Director

Identify eligible projects to be accomplished or assisted with Workforce Housing (WFH) Grant funds. (In June 2005, the State Department of Housing and Community Development awarded the City \$258,634 in WFH Grant funds. Projects to be funded and/or assisted with WFH funds must be completed within 3 years.)

**OPTIONS:**

- a. Approve the following list of eligible projects, and their relative priorities, to be accomplished or assisted with up to \$258,634 in WFH funds
  - 1. Install curbs, gutters, sidewalk, street light on 28th Street, in front of Oak Park Senior Housing Project ..... \$167,000
  - 2. Install LED-lighted crosswalks at several locations..... \$140,000
  - 3. Install curbs, gutters, sidewalk adjacent to Fairgrounds parking lot..... \$295,000
  - 4. Install paving, curbs, gutters, sidewalk (one side) on Vine Street, between Marion Avenue and 36th Street ..... \$365,000

- b. Approve the following list of eligible projects, and their relative priorities, to be accomplished or assisted with up to \$258,634 in WFH funds
  - 1. Install LED-lighted crosswalk at 34th and Spring Streets ..... \$70,000
  - 2. Install LED-lighted crosswalk at 17th and Spring Streets ..... \$70,000
  - 3. Install curbs, gutters, sidewalk adjacent to Fairgrounds Parking Lot ..... \$295,000
  - 4. Install paving, curbs, gutters, sidewalk (one side) on Vine Street,  
between Marion Avenue and 36th Street ..... \$365,000
- c. Amend, modify, or reject one of the above options

**ROLL CALL VOTE**

**17. [Landfill Engineering Services Contract](#)**

Brad Hagemann, Water Resources Manager

Consider awarding a contract for Landfill Engineering Services. (In March 2005, Requests for Proposals for engineering services at the City landfill were circulated. Eight responsive proposals were received and reviewed. Council's ad hoc committee reviewed the top proposals and recommends awarding the contract to SCS Engineers.) CONTINUED FROM AUGUST 2, 2005

**OPTIONS:**

- a. (1) Dissolve the Council ad hoc committee formed to review the RFP's for engineering services at the landfill, and adopt Resolution No. 05-xx authorizing the City Manager to enter into a contract with SCS Engineers to provide engineering services at the City Landfill; and
  - (2) Approving a base budget appropriation from General Fund Reserves in the amount of \$125,000 to Budget Account No. 100-310-5224-167 with an offsetting revenue adjustment to Revenue Account No. 100-000-4637-000.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**18. [Bid Award - Transit Shelters Repairs](#)**

D. Monn, Interim Public Works Director

Consider awarding a contract to Wysong Construction Company for the repair of four City transit shelters and appropriating funds from Transit Operations Fund (Transportation Development Act funds) to cover the costs. (Bids were solicited for painting and repairs of four transit stop shelters. One bid was received. Staff reviewed the bid submitted by Wysong Construction and finds it to be responsive.)

**OPTIONS:**

- a. Adopt Resolution No. 05-xx awarding a contract to Wysong Construction in the amount of \$12,500; (2) authorizing the City Manager to execute said contract; and (3) approving a budget allocation of \$12,500 from the Transit Operations Fund.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**19. [Bid Award – Monthly Cleaning of Transit Stops](#)**

D. Monn, Interim Public Works Director

Consider awarding a contract to NCI Affiliates, Inc. for the monthly cleaning of all City transit stops. (Bids were solicited, with two bids received and opened on July 14, 2005. Staff reviewed the low bid submitted by NCI Affiliates and finds it to be responsive.)

**OPTIONS:**

- a. Adopt Resolution No. 05-xx awarding a contract to NCI Affiliates, Inc. in the amount of \$10,900 per year; (2) authorizing the City Manager to execute said contract; and (3) approving a budget allocation from the Transit Operations Fund (Transportation Development Act funds) to Budget Account No. 206-140-5221-131.
- 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, 2<sup>nd</sup> Floor

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

Subdivision (b) of Government Code Section 54956.9

Initiation of litigation

Number of Cases: Two

**b. Conference with Legal Counsel – Existing Litigation**

Subdivision (a) of Government Code Section 54956.9

Vicki & Leroy Myrick (Plaintiff) vs. City of Paso Robles (Defendant)

Case No. CV 040613

### ADJOURNMENT:

- **PURPLE BELT STAKEHOLDERS MEETING** AT 1:00 PM ON THURSDAY, AUGUST 18 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- **RIVER PARKWAYS WORKSHOP** 5:30-7:30 PM ON MONDAY, AUGUST 22 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- **COST OF SERVICES WORKSHOP** AT 7:00 PM ON WEDNESDAY, AUGUST 24 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- **OLSEN/BEECHWOOD SPECIFIC PLAN DESIGN CHARETTE** SUNDAY, AUGUST 28, 3:00-9:00 PM AND MONDAY - THURSDAY, AUGUST 29 - SEPTEMBER 1, 8:30 AM – 10:00 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- **REGULAR MEETING** AT 7:30 PM ON TUESDAY, SEPTEMBER 6, 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 AUGUST 26, 2005*