

CITY COUNCIL AGENDA

Tuesday, September 6, 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 Reserve Police Officer Richard Ruth](#)
M. Mecham, Mayor

PUBLIC HEARINGS - None

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 2-15 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 11, 16 and 24, 2005](#)
D. Fansler, City Clerk
3. [Approve Warrant Register: Nos. 56829 – 56940 \(8/12/05\), 56941 – 57084 \(8/19/05, and 57085 – 57238 \(8/26/05](#)
M. Compton, Administrative Services Director
4. Receive and file Advisory Body Committee minutes as follows:
[Library Board of Trustees meeting of July 14, 2005](#)
[Parks & Recreation Advisory Committee meeting of July 12, 2005](#)
[Pioneer Museum Board meeting of June 9, 2005](#)
5. [Adopt Resolution No. 05-xx approving a consultant services agreement with JoAnn Benner Head, P.L.S.](#) (Final subdivision and parcel maps must be checked for technical accuracy. Currently, the City employs a professional surveyor to assist where the volume of work warrants more resources.)
R. Lata, Community Development Director
6. [Adopt Resolution No. 05-xx certifying and adding properties to Community Facilities District \(CFD\) No. 2005-1 and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien; adopt Resolution No. 05-xx accepting the recordation of Tract 2611-1 and approving the Subdivision Improvement Agreement for Tract 2611-1; and adopt Resolution No. 05-xx annexing Tract 2611-1 into the Landscape and Lighting District \(L&LD\).](#) (Property is a 39-lot subdivision of a 9.01-acre site, located along the extension of Brahma Street, between Serenade Drive and Oxen Court. Applicant and property owner Centex Homes has signed a petition and voted in favor of annexation into the L&LD. As the required public improvements have not been completed, the applicant has signed a Subdivision Improvement Agreement guaranteeing the construction of these improvements within a one-year period.)
R. Lata, Community Development Director
7. [Adopt Resolution No. 05-xx certifying and adding property to Community Facilities District \(CFD\) No. 2005-1, and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien.](#) (Property is located on the 2,600 square foot parcel located on the east side of the alley directly behind the house located at 627 19th Street.)
R. Lata, Community Development Director

8. [Adopt Resolution No. 05-xx certifying and adding property to Community Facilities District \(CFD\) No. 2005-1, and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien; and adopt Resolution No. 05-xx accepting the recordation of Parcel Map PR 04-0625, a 4-lot residential subdivision located at 2127 Oak Street.](#) (Parcel Map was tentatively approved by the Planning Commission in March 2005 and all conditions imposed have been satisfied.)
R. Lata, Community Development Director
9. [Adopt Resolution No. 05-xx authorizing a reimbursement of \\$21,805 to Matt Masia, owner of the Adelaide Inn located at 1215 Ysabel Avenue, for water connection fees related to the installation of a 2-inch water meter for service to a building permit issued on the subject property on July 2, 2004.](#) (Reimbursement would adjust the charge for water connection fees to the rate in effect on July 2, 2004, when the building permit was issued.)
R. Lata, Community Development Director
10. [Adopt Resolution No. 05-xx accepting the 3-foot wide Grant of Easement for operation and maintenance of a water line from Lewis Burnett.](#) (Property is located at 514 Larkfield Place.)
R. Lata, Community Development Director
11. [Adopt Resolution No. 05-xx accepting the recordation of Parcel Map PR 04-0078, a 3-lot commercial/industrial subdivision located along Dry Creek Road, west of Airport Road.](#) (Applicant: Hogue Brothers. Parcel Map was tentatively approved by the Planning Commission in May 2004 and all conditions have been satisfied.)
R. Lata, Community Development Director
12. [Receive the Storm Water Management Plan \(SWMP\) and direct staff to implement and submit the initial annual report to the Regional Board on September 16, 2006.](#) (The SWMP addresses the quality of water that would be discharged to the County's natural creeks and rivers and establishes Best Management Practices to implement activities to monitor, measure, and perhaps reduce pollutant loads.)
D. Monn, Interim Public Works Director
13. [Adopt Resolution No. 05-xx approving the City's participation in the Paso Robles Groundwater Basin Agreement.](#) (This cooperative agreement, which includes overlying property owners, San Luis Obispo County, and the City, provides that the parties will cooperate to sustain Basin waters for current and prospective uses.)
B. Hagemann, Water Resources Manager
14. [Adopt Resolution No. 05-xx approving an agreement with Templeton Community Services District \(TCSD\) regarding cost sharing for improvements to sewage Lift Station No. 2 and associated sewage interceptor line.](#) (The City and District have analyzed various methods to calculate a fair and equitable cost share, and the District has agreed to pay \$300,000 to cover its share of the improvements.)
B. Hagemann, Water Resources Manager
15. [Adopt Resolution No. 05-xx authorizing the receipt of Library Services and Technology Act \(LSTA\) Public Library Education grant funds in the amount of \\$2,838, and making a one-time budget appropriation of \\$2,900 to Budget Account No. 100-411-5226-203, with an offsetting adjustment to state grant revenues, Revenue Account No. 100-000-4617-000.](#) (The Library applied and was approved for a competitive education grant.)
A. Robb, Interim Director of Library & Recreation Services

ROLL CALL VOTE

DISCUSSION

16. [Planning Commission Guidelines for Conditions of Approval – Churches in Commercial Zones](#)

R. Lata, Community Development Director

Consider adopting a set of Guidelines for Planning Commission use when considering applications for churches on commercial zoned properties. (On July 19th, Council approved a Zoning Code Amendment that would allow churches in the Regional Commercial Zone, subject to a Conditional Use Permit [CUP] and directed staff to suggest guidelines for future CUP applications.) CONTINUED FROM AUGUST 2, 2005

OPTIONS:

- a. Adopt Resolution No. 05-xx providing Guidelines for the Planning Commission to consider when evaluating applications for Conditional Use Permits for churches in commercially zoned locations.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

17. [Paso Robles Street Corporation Yard Building Demolition](#)

D. Monn, Interim Public Works Director

Consider approving the demolition of an unreinforced masonry building located at the Paso Robles Street Corporation Yard. (Building was damaged in the 2003 San Simeon earthquake and has since been abandoned in conformance with the City's Seismic Safety ordinance. It is recommended that it be demolished.)

OPTIONS:

- a. Approve demolition of a small, unreinforced masonry building at the Paso Robles Street corporation yard.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

18. [Properties Failing to Comply with Seismic Safety Ordinance](#)

R. Lata, Community Development Director

Consider an order to vacate those buildings not in compliance with Seismic Strengthening requirements of the City's Municipal Code. (The Code requires that minimum standards for structural seismic resistance be incorporated into unreinforced masonry structures. The deadline for issuance of a building permit to construct retrofit improvements is August 8, 2005.)

OPTIONS:

- a. Send a "Notice to Immediately Vacate," to those owners of buildings where required permits have not yet been secured.
- b. Send a "Notice to Vacate," to those owners of buildings where required permits have not yet been secured, by a future date specified by Council.
- c. Send a reminder notice to those owners of buildings that required permits have not been secured, and that building retrofit or demolition must be completed not later than February 6, 2007, or the City will order the buildings vacated.
- d. Amend, modify, or reject the above options.

ROLL CALL VOTE

19. [Request for Proposal Regarding City Parking Lot](#)

R. Lata, Community Development Director

Consider authorizing staff to solicit proposals to redevelop a downtown city parking lot, based on the premise of preserving public parking spaces. (Property is located on the north side of 12 Street, between Spring and Park Streets. The purpose and intent of requesting proposals is to explore options which may lead to a more effective use of City-owned property.)

OPTIONS:

- a. Authorize staff to distribute copies of a Request for Proposals based on the draft included in the staff report, soliciting ideas for possible redevelopment of the City parking lot on 12th Street, while at the same time preserving public parking resources.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

20. [Community Expectations & Choices: Sales Tax Initiative](#)

J. App, City Manager

Initiate dialogue with residents concerning public service expectations and choices. (Growth in public service and infrastructure demand is anticipated to outpace revenue growth. An increase in local sales tax is one method of supplementing revenues to meet operational objectives.)

OPTIONS:

- a. Authorize an informal community expectation and choice public information and education effort, with specific focus upon a one-half cent local sales tax measure.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

21. [Appraisal Services Contract – Ladera Water Tank](#)

D. Monn, Interim Public Works Director

Consider approving an agreement for appraisal services in relation to the Ladera water tank project. (In January 2004, the City entered into an agreement to develop conceptual design of two 4-million gallon water tanks to be located at the Ladera site. In June 2005, a workshop was conducted to present the project to the surrounding neighborhood and obtain their input. A common concern of those attending was the compatibility of the proposed tank with Covenants, Conditions and Restrictions associated with the surrounding properties. Following the workshop, City's legal counsel secured a proposal for appraisal to determine what, if any, impact this project may have on the adjacent properties.)

OPTIONS:

- a. Adopt Resolution No. 05-xx authorizing the City Manager to enter into an Agreement for Consultant Services with Tim Landes, Sierra West Valuation, in relation to the Ladera tank project for a not-to-exceed fee of \$20,000.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

22. [Development Impact Fee Update](#)

R. Lata, Community Development Director

Consider an amendment to the contract with David Taussig & Associates to prepare an update of the City's Development Impact Fees. (David Taussig & Associates are currently under contract to prepare a Development Impact Fee Justification Study. Updating the Development Impact Fees is part of the process of implementing the fiscal neutrality policies outlined in the General Plan.)

OPTIONS:

- a. Authorize the City Manager to enter into an addendum to the current scope of work with David Taussig & Associates to undertake the update of Development Impact Fees as an implementation step of the new General Plan; and adopt Resolution No. 05-xx appropriating funds. The not-to-exceed contract supplement amount would be \$47,500.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

23. [Landscape and Lighting Balloting Services](#)

D. Monn, Interim Public Works Director

Consider awarding a contract to Muni Financial for landscape and lighting balloting related services. (In July 2005, Council authorized staff to ballot deficit sub-areas. In preparation for the balloting effort, a proposal was solicited from Muni Financial, who provided expertise the last time deficit sub-areas were balloted.)

OPTIONS:

- a. Adopt Resolution No. 05-xx awarding a contract to Muni Financial for Landscape and Lighting District balloting services.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

24. [Review of Consultant Proposals - Ad Hoc Committee Formation](#)

D. Monn, Interim Public Works Director

Consider appointing an ad hoc committee to review bid proposals and interview consultants for various capital improvement projects.

OPTIONS:

- a. Appoint a two-member ad hoc committee to work with staff to select the most qualified firms to prepare an update of the 1976 Storm Drain Master Plan and feasibility studies for roundabouts at Creston and Lana and South River Road and Charolais; and report back to the full Council by April 18, 2006.
- b. Amend, modify, or reject the above option.

VOICE VOTE

COUNCIL COMMENTS

- 25. Written comments from Councilmember Strong.

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 – Anticipated Litigation

Subdivision (c) of Government Code Section 54956.9

Initiation of litigation

Number of Cases: One

b. Property Acquisition*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 53 acres located approximately eight miles east of Paso Robles, abutting the westerly side of access road to the landfill (APN Nos. 15-041-055, 15-041-154, 15-041-053, and 15-041-052)

Owner/Negotiator: Tim Bryan, ReMax Realty

Provide City Negotiator with authority regarding purchase, price, and terms of payment

ADJOURNMENT: to THE REGULAR MEETING AT 7:30 PM ON TUESDAY, SEPTEMBER 20, 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 SEPTEMBER 9, 2005*