



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL AGENDA

Tuesday, February 7, 2006 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 - None

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 1-12 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

1. [Approve City Council minutes of January 17, 2006](#)
D. Fansler, City Clerk
2. [Approve Warrant Register: Nos. 59811-89913 \(01/13/06\), 59814-60034 \(01/20/06\), 60035-60140 \(01/27/06; and Other Payroll Services](#)
M. Compton, Administrative Services Director
3. Receive and file Advisory Body Committee minutes as follows:
[Citizens Airport Advisory Committee of December 8, 2005](#)
[Library Board of Trustees meeting of December 8, 2005](#)
[Project Area Committee meeting of November 11, 2005](#)
[Senior Citizen Advisory Committee meeting of December 12, 2005](#)
[Youth Commission meeting of December 7, 2005](#)
4. [Proclamation designating February 2006 as Grand Jury Awareness Month.](#)
F. Mecham, Mayor
5. [Adopt Resolution 06-XX awarding a contract to Aqua Engineering for the diagnosis and repair of Avery Well #24.](#) (In January 2006, Avery Well #24 failed during a routine start-up. After inspection of external components, staff determined further investigation is needed to make repairs, or replace equipment, if necessary.)
B. Hagemann, Water Resources Manager
6. [Adopt Resolution 06-XX awarding a contract to Chrisp Company install a wireless in-roadway signal system \(LED-lighted crosswalk\) at the intersection of 34th and Spring Streets.](#) (Council allocated 2004 and 2005 Community Development Block Grant ("CDBG") monies to install a signaling system at the intersection of 34th and Spring Streets. Three bids were received, and the lowest responsive and responsible bid was submitted by Chrisp Company.)
J. Falkenstien, Interim Community Development Director
7. [Adopt Resolution 06-XX accepting the recordation of Parcel Map PR 05-0184.](#) (Applicant: Aztec Holdings, LLC: This two-lot residential subdivision located at 2020 Oak Street was tentatively approved by the Planning Commission on August 9, 2005. All conditions imposed by the Planning Commission have been satisfied.)
J. Falkenstien, Interim Community Development Director.
8. [Adopt Resolution 06-XX certifying and adding Parcel 2 of PR 05-0040 to Community Facilities District No. 2005-1 for Public Services; and adopt Resolution 06-XX accepting the recordation of Parcel Map PR 05-0040](#) (Applicant: Aztec Holdings, LLC. This 2-lot residential subdivision is located at 429 Vine Street. PR 05-0040 was tentatively approved by the Planning Commission on August 23, 2005. All conditions imposed by the Planning Commission have been satisfied. Additionally, annexation to the City's CFD No. 2005-1 is necessary to mitigate projected adverse fiscal impacts of new residential development.)
J. Falkenstien, Interim Community Development Director.

9. [Adopt Resolution 06-XX accepting public improvements for Tract 2611-1 \(Lots 1-39\) into the City's maintenance system.](#) (On September 6, 2005, City Council approved Tract 2611-1, located along Brahma Street, between Serenade Drive and Oxen Court, for recordation and executed a Subdivision Improvement Agreement with the developer, Centex. The improvements have been constructed to the satisfaction of City Staff.)
J. Falkenstien, Interim Community Development Director
10. [Adopt Resolution 06-XX accepting public improvements for Tract 2457-4 \(Lots 1-62 and Lots 206-210\) into the City's maintenance system.](#) (Applicant: Oak Knoll Ranch, LLC On December 7, 2004, City Council approved Tract 2457-4, located along Clubhouse Drive and River Oaks Drive, north of Highway 46 and west of Buena Vista Drive, for recordation and executed a Subdivision Improvement Agreement with the developer. The improvements have been constructed to the satisfaction of City Staff.)
J. Falkenstien, Interim Community Development Director
11. [Adopt Resolution 06-XX accepting the recordation of Parcel Map PR 03-0403.](#) (Applicant: White. This two-lot residential subdivision located on Casa Blanca Court, north of 24th Street was tentatively approved by the Planning Commission on March 9, 2004. All conditions imposed by the Planning Commission have been satisfied.)
J. Falkenstien, Interim Community Development Director
12. [Adopt Resolution 06-XX amending the City's adopted Conflict of Interest Code.](#) (The Conflict of Interest Code, Exhibit "A", is amended to add personnel classifications of Police Captain, Fire Battalion Chief/Administration, and Human Resources Manager, and to remove the classifications of Assistant Engineer and Civil Engineer.)
D. Fansler, City Clerk

ROLL CALL VOTE

DISCUSSION

13. [Ordinance Pertaining to Residency Restrictions for Certain Sex Offenders](#)
D. Cassidy, Chief of Police

Consider adopting an ordinance augmenting residence restrictions for certain convicted sex offenders. (Current State law restricts only those sex offenders currently on parole from residing within one-quarter mile of any public or private school attended by children in Kindergarten through Grade 8 during their period of parole. This ordinance would enhance the protection by establishing areas around locations where children regularly congregate wherein certain sexual offenders shall be prohibited from establishing temporary or permanent residence. It would also require property managers, landlords, and realtors to disclose the existence of the ordinance prior to the commencement of any sale, rental, or leasing transaction.) CONTINUED FROM JANUARY 3, 2006

OPTIONS:

- a. Introduce for first reading Ordinance No. XXX N.S. adding a new Chapter 9.46 to Title 9 of the Municipal Code of the City of El Paso de Robles pertaining to residency restrictions for certain sex offenders and set February 21, 2006 as the date for adoption of said ordinance. (Note: The attached resolution adopting a list of protected properties and map of restricted areas would also be adopted on February 21, 2006.)
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

14. [Tower Road Wellhead and Pipeline Award](#)

D. Monn, Public Works Director

In May 2004, Council awarded a construction contract to drill a test well at Tower Road. Council will consider reallocating a portion of the CIP Water Budget and award construction and soils engineering contracts to complete the Tower Road Well and Main Pipeline Project.

OPTIONS:

- a. Adopt Resolution No. 06-xx authorizing:
 - 1) Appropriation of an additional \$804,200 to Budget No. 220-910-5452-322 for the Tower Road Well Project;
 - 2) De-appropriate \$499,300 from Well No. 10, and \$500,000 from Well No. 11;
 - 3) Award of a construction contract to Raminha Construction in the amount of \$878,250 for the Tower Road Wellhead and Pipeline; and
 - 4) Award a soils engineering service contract to Earth Systems Pacific in the amount of \$16,591.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

15. [Ad Hoc Committee Formation – News Racks Ordinance Amendment](#)

J. Falkenstien, Interim Community Development Director

(The City needs to update its news rack ordinance regarding the number and placement of freestanding news racks located in the public Right-of-Way. Consider forming an ad hoc committee to assist and guide staff in this effort.)

OPTIONS:

- a. Appoint two Councilmembers to an ad hoc committee to work with staff to consider amendments to the news rack ordinance, and report back to the full Council by December 31, 2006.
- b. Amend, modify, or reject the above option.

VOICE VOTE

COUNCIL COMMENTS

PUBLIC COMMENTS ON CLOSED SESSION

Public comments limited to Closed Session items only.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

a. Property Acquisition

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: Southeast corner 17th Street and Riverside Avenue
approximately 3,000 square feet (0.07 acres)
(APN No. 008-296-008)

Owner/Negotiator: First Regional Bank, as Custodians for FBO Gearhart
Development 401K

Provide City Negotiator with authority regarding purchase, price, and terms of payment to acquire City Right-of-Way.

b. Property Acquisition

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: approximately 6.3 acres (of which Theatre Drive realignment will take 2.88 acres) fronting on Gahan Place across from Orchard Supply
(APN No. 009-831-008)

Owner/Negotiator: Peter Laughlin

Property: 1.15 acres fronting on Gahan Place across from Orchard Supply (taken as a whole)
(APN No. 009-831-009)

Owner/Negotiator: Jack Munari

Property: 2.16 acres fronting on Hwy 46W
(APN No. 040-091-041)

Owner/Negotiator: Quorum Properties

Property: 1.59 acres fronting on Hwy 46W
(APN No. 009-831-003)

Owner/Negotiator: Dresser Family Trust

Provide City Negotiator with authority regarding purchase, price, and terms of payment to acquire City Right-of-Ways near Highway 46W/101 for needed relocation of Theatre Drive.

c. Property Acquisition

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: approximately 3 acres SW border of Vine Street in San Luis Obispo County
(APN No. 018-271-001 and 040-031-020)

Owner/Negotiator: Dan Lloyd

Property: approximately 3 acres, ¼ mile East of Airport Road and ½ mile north of Linne Road
(APN No. 020-211-008 and 020-211-006)

Owner/Negotiator: Paso Robles Vineyards, Inc.

Property: approximately 3 acres, located in Chandler Ranch, north of Sherwood Road and east of Golden Hill Road
(APN No. 025-371-007)

Owner/Negotiator: Jonatkim Enterprises (Worth)

Provide City Negotiator with authority regarding purchase, price, and terms of payment for expansion of the City's existing water system infrastructure.

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

Subdivision (a) of Government Code Section 54956.9

Quorum Realty Fund III, LLC (Plaintiff) vs. City of Paso Robles (Defendant)

Case No. CV 051041

ADJOURNMENT:

ADJOURNMENT

- THE CALIFORNIA MID-STATE FAIR ANNUAL DINNER, FRIDAY, FEBRUARY 10, 2006, 6:30 PM AT THE SLO PAVILION – CALIFORNIA MID-STATE FAIRGROUNDS
- CHANDLER RANCH WORKSHOP ON TRAFFIC AND RELATED TOPICS AT PLANNING COMMISSION AT 7:30 PM, MONDAY, FEBRUARY 13, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- TO THE SAN LUIS OBISPO EDUCATION FORECAST, WEDNESDAY, FEBRUARY 15, 2006, 7:30 AM AT THE CARLTON HOTEL, 6005 EL CAMINO REAL, ATASCADERO
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, FEBRUARY 21, 2006, 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 10, 2006***