



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL AGENDA

Tuesday, June 5, 2007 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 John R. Hamon, Jr., 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. **San Luis Obispo County – Air Pollution Control District
Climate Protection Program**

R. Whisenand, Community Development Director

Presentation by Larry Allen, SLO County Air Pollution Control Officer:

- Background on global warming;
- Current impacts already documented, globally and in California;
- Predicted future impacts, globally and in California;
- State, National and Internationally efforts to address climate change

PUBLIC HEARINGS

2. **Request to Establish Cellular Facilities within Various Zoning Districts
City-wide, Zoning Code Amendment 07-001 and 07-003**

R. Whisenand, Community Development Director

For the City Council to consider an amendment to the Zoning Ordinance to allow additional areas throughout the City to establish cellular facilities.

OPTIONS:

- a. By separate motions:
 - (1) Adopt Resolution No. 07-XXX adopting a Negative Declaration for Zoning Code Amendment 07-001 and 07-003; and
 - (2) Adopt Ordinance No. XXX, N.S.; or
- b. Amend, modify, or reject the above option, or
- c. Request additional information and analysis.

ROLL CALL VOTE

3. **Annual Levy Report for the Landscape and Lighting District**

D. Monn, Director of Public Works

For the City Council to hold a public hearing and consider adopt resolutions necessary to levy the assessments for fiscal year 2007/2008.

OPTIONS:

- a.
 - (1) Adopt Resolution No. 07-XXX approving the Engineers' Report: and
 - (2) Adopt Resolution No. 07-XXX ordering the levy and collection of assessments.
- b. Amend, modify, or reject one of the above options.

ROLL CALL VOTE

4. Code Enforcement – Revised Administrative Citation Program

D. Cassidy, Chief of Police

A minor clarification is proposed in the Ordinance that was introduced on May 15, 2007, establishing an Administrative Citation Program. The administrative citation shall state that the fine may be waived if evidence is presented to an enforcement officer, within fifteen (15) days of the date of the citation, that the violation has been corrected.

OPTIONS:

- a. Re-introduce for first reading Ordinance No. XXX N.S. amending Chapter 1.02 of the Paso Robles Municipal Code relating to an Administrative Citation Program and set June 19, 2007, as the date for adoption of said Ordinance;
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

5. Two Year Operating Budget and Four-Year Financial Plan – Fiscal Year 2007-2008 to 2011

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

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

OPTIONS:

- a. Adopt Resolution No. 07-XXX approving the two-year operating budget, four-year Capital Improvements budget, and four-year financial plan for fiscal years 2007-2011.
- b. Amend, modify, or reject the foregoing 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 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.**

6. Approve City Council minutes of May 15 and May 22, 2007

D. Fansler, City Clerk

7. Approve Warrant Register: Nos. 70010—70155 (05/11/07), 70156—70218 (05/18/07), 70219-70385 (05/25/07), and Other Payroll Services.

M. Compton, Administrative Services Director

8. [Receive and file Advisory Body Committee minutes as follows:
Library Board of Trustees meeting of March 8, 2007](#)
9. [Proclamation designating June 5, 2007 as Hunger Awareness Day.](#)
F. Mecham, Mayor
10. [Read, by title only, and adopt Ordinance No. 933 N.S.](#) Pursuant to Senate Bill 53, which took effect on January 1, 2007, this law requires a legislative body that adopted a redevelopment plan containing eminent domain authority before January 1, 2007, to adopt an ordinance on or before July 1, 2007, containing a description of the agency's program to acquire real property by eminent domain. (FIRST READING MAY 15, 2007)
R. Whisenand, Community Development Director
11. [Read, by title only, and adopt Ordinance No. 931 N.S.](#), changing the zoning of property located at the intersection of Buena Vista Drive and Experimental Station Road (APN 025-391-014) from R1 (Single Family Residential) to R2 (Multiple Family Residential), with a maximum density of 8 dwelling units per acre. (FIRST READING MAY 1, 2007) R. Whisenand, Community Development Director
12. [Adopt Resolution No. 07-XX](#) accepting the recommendations of the Pioneer Board of Trustees nominees for the 2006-2008 term, and the appointment of two honorary members. J. App, City Manager
13. [Adopt Resolution No. 07-XX](#) accepting a deed to a 0.23-acre parcel, adjacent to City property, from Caltrans near 38th Street, east of Vine for \$535.00 Caltrans considers the property surplus.
D. Monn, Public Works Director
14. [Adopt Resolution No. 07-XX](#) accepting the recordation of Parcel Map PR 06-0120, a 3-lot residential subdivision, located at 719-723 North Trigo Lane (Thomas). All conditions imposed by the Planning Commission on November 14, 2006 have been satisfied.
R. Whisenand, Community Development Director
15. [Adopt Resolution No. 07-XX](#) adding Parcel Map 05-0082 to the Community Facilities District No. 2005-1, and adopt Resolution No. 07-XXX accepting the recordation of the 2-lot residential subdivision located at 712 Walnut Drive (Przybyla). All conditions imposed by the Planning Commission, on March 28, 2006 have been satisfied.
R. Whisenand, Community Development Director
16. [Adopt Resolution No. 07-XX](#) adding Parcel Map 06-0077 to the Community Facilities District No. 2005-1, and adopt Resolution No. 07-XXX accepting the recordation of the residential development and subdivision located at 511 Oak Street (Vargas). All conditions imposed by the Planning Commission on June 27, 2006 have been satisfied.
R. Whisenand, Community Development Director
17. [Adopt Resolution No. 07-XX](#) approving an appropriation limit for the fiscal year 2008 operating and maintenance budget. Article XIII B of the State Constitution requires state and local governments to annually adopt an appropriations limit. The limit may be adjusted annually by a factor comprised of the change in population combined with either the change in California per capita personal income or the change in the local assessment roll due to local non-residential construction.
M. Compton, Director of Administrative Services
18. [Adopt Resolution No. 07-XX](#) authorizing radio broadcast of regular city council meetings through June 2008 at a cost of \$320.00 per month.
J. App, City Manager

ROLL CALL VOTE

DISCUSSION

19. Request to Remove One Oak Tree at 849 Olive Street (OTR 07-001)

R. Whisenand, Community Services Director

For the City Council to consider a request by Fred Seaver to remove one oak tree that is causing ongoing damage to the house on the property.

OPTIONS:

- a. Adopt Resolution No. 07-XXX approving OTR 07-001, allowing the removal of a 28-inch Blue Oak tree, based on the tree causing damage to the existing house; and require five 1.5-inch diameter Blue Oak replacement trees to be planted; or
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

20. Request to Remove One Oak Tree at 2241 Vine Street (OTR 07-003)

R. Whisenand, Community Services Director

For the City Council to consider a request by Danny Jones to remove one oak tree on his property that is in poor condition and is a potential hazard of falling and damaging a nearby deck area. The applicant is also requesting that the Council waive the \$600 application fee requirement, and not require replacement trees.

OPTIONS:

- a. Adopt Resolution No. 07-XXX approving OTR 07-003, allowing the removal of a 24-inch Blue Oak tree, and as a result of the decline of the tree being of natural causes, waive the application fee and not require replacement trees; or
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

21. Olsen Ranch Beechwood Specific Plan (OBSP)–Environmental Review Process

R. Whisenand, Community Services Director

For the City Council to receive information on the scope and status of the Environmental Impact Report (EIR) for the Olsen Ranch Beechwood Specific Plan. The Notice of Preparation (NOP) of the EIR and Initial Study was circulated on May 4, 2007, and extends through June 5, 2007.

OPTIONS:

- a. After considering the information received in the report, and any additional input from Councilmembers, formally proceed with the preparation of the EIR.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

22. Budget Appropriation for State Transit Assistance Approved Projects

M. Compton, Director of Administrative Services

For the City Council to consider appropriations for State Transit Assistance (STA) funded projects approved by San Luis Obispo Council of Governments (SLOCOG). SLOCOG approved two projects for funding totaling \$120,000. The City is required to match the STA approved funding with 10% of local funds.

OPTIONS:

- a. Adopt Resolution No. 07-xx authorizing budget appropriations for \$132,000, the amount of the STA funding approved by SLOCOG, plus the City's 10% match.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

23. Presentation of "Other Post Employment Benefits" Actuarial Study

M. Compton, Director of Administrative Services

For the City Council to consider establishing an irrevocable trust for the deposit and investment of monies to fund the City's Other Post Employment Benefits ("OPEB") liability.

OPTIONS:

- a. Adopt Resolution No. 07-xx establishing the City's irrevocable trust for its OPEB liabilities through ICMA Retirement Corporation's, VantageCare RHS Employer Investment Program; or
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION -None

AD HOC COMMITTEE COMMUNICATION

24. Reorganization of Council Ad Hoc Committees

M. Williamson, Assistant City Manager

For the City Council to review and reorganize various ad hoc committee assignments, based on current project activity levels.

OPTIONS:

- a. Approve the updated list of City Council ad hoc committee assignments, including the formation of new committees and members.
- b. Amend, modify, or reject the above option.

VOICE VOTE

PUBLIC COMMENTS 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

Government Code Section 54956.9 b. (1)

Aschle v. City of Paso Robles

Workers' Compensation Case No. VNO 0480048

ADJOURNMENT:

- To the Paso Robles Wine Services Open House, 4:30 PM on June 7, 2007, at 6305 Buena Vista Drive, Paso Robles
- To the Adjourned Regular Meeting for Advisory Body Interviews, at 7:00 PM, on June 7, 2007 at the Library/City Hall Conference Center, 1000 Spring Street
- To the Regular Planning Commission meeting, at 7:30 PM, on June 12, 2007, at the Library/City Hall Conference Center, 1000 Spring Street
- To the UCSB Paso Robles Economic Forecast, at 8:30 AM, on June 13, 2007, at the Paso Robles Inn Grand Ballroom
- To the Adjourned Regular Meeting for Advisory Body Interviews, at 7:00 PM, on June 14, 2007 at the Library/City Hall Conference Center, 1000 Spring Street
- To the Joint City Council Planning Commission Breakfast, 7:00 AM, June 15, 2007, at the Touch of Paso Restaurant, Paso Robles
- To the Regular City Council Meeting, at 7:30 PM, on June 19, 2007 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 8, 2007*