



# CITY OF EL PASO DE ROBLES

*"The Pass of the Oaks"*

## CITY COUNCIL AGENDA

Tuesday, September 4, 2007 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 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 - None

## **PUBLIC HEARINGS**

### **1. Appeal of Planning Commission Denial of Conditional Use Permit 07-009**

R. Whisenand, Community Development Director

For the City Council to consider an appeal of a denial of a Conditional Use Permit to establish a Bed & Breakfast business at 1521 Vine Street. CONTINUED FROM AUGUST 7, 2007.

#### **OPTIONS:**

- a.** Adopt Resolution No. 07-XXX denying Conditional Use Permit 07-009, or
- b.** Refer the matter back to the Planning Commission should the applicant indicate a willingness to consider parking/design options; or
- c.** Determine that the parking requirements have been met and grant the Appeal thereby approving the Conditional Use Permit 07-009, or
- d.** Amend, modify, or reject one of the above options.

## **ROLL CALL VOTE**

### **2. Street Abandonment 07-002 - 34<sup>th</sup> Street (Jeffrey)**

R. Whisenand, Community Development Director

For the City Council to consider the abandonment of a 10-foot portion of 34<sup>th</sup> Street, an 80-foot wide street. The purpose of the request is to expand the applicant's residential use, and is consistent with the Streets and Highway Code, and the City's General Plan.

The City Council, at their meeting on August 7, 2007, adopted a Resolution of Intent to Abandon, No. 07-162, which set this public hearing to abandon this right-of-way.

#### **OPTIONS:**

- a.** Adopt Resolution No. 07-XXX to abandon a 10-foot wide portion of 34<sup>th</sup> Street from Spring Street to Park Street; or
- b.** Amend, modify, or reject one of the above options.

## **ROLL CALL VOTE**

### **3. Edward Byrne Memorial Justice Assistance Grant Program**

L. Solomon, Chief of Police

For the City Council to consider accepting approximately \$12,500 in FY 2008 from the Edward Byrne Memorial Justice Assistance Grant Program. The Police Department intends to use the funds to purchase new AR-15 rifles and accessories to replace old, antiquated rifles in its patrol fleet. The budget for this program will allow for six new rifles to be installed in over half of the current patrol fleet. These are "entitlement" funds and do not require matching funds from the City's budget.

**OPTIONS:**

- a. Adopt Resolution No. 07-xx accepting the Edward Byrne Memorial Justice Assistance Grant Program Funds (Number 16.738) and approving the outlined expenditure plan; or
- b. Amend, modify, or reject one of 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 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.**

4. Approve City Council minutes of August 21, 2007  
D. Fansler, City Clerk
5. Approve Warrant Register: Nos. 71951—72088 (08/17/07) and 72078—72234 (08/24/07)  
J. Sorenson, Finance Manager
6. Receive and file Advisory Body Committee minutes as follows:  
Citizens Airport Advisory Committee meeting of June 28, 2007  
Parks and Recreation Advisory Committee meeting of July 10, 2007
7. Proclamation designating September 9-15, 2007 as National Assisted Living Week 2007.  
F. Mecham, Mayor
8. Proclamation designating September 2007 as National Alcohol & Drug Addiction Recovery Month.  
F. Mecham, Mayor
9. Adopt Resolution 07-XXX authorizing the City Manager to execute a contract with Blue Cross for medical coverage for one additional year beginning October 1, 2007.  
M. Williamson, Assistant City Manager
10. Authorize Mayor to execute 4-year agreement with the Paso Robles Chamber of Commerce for Visitor Center services.  
J. App, City Manager
11. Adopt Resolutions 07-XXX, 07-XXX, and 07-XXX authorizing the purchase of property located at 1720 Riverside Avenue, as part of an approved project for a new southbound on-ramp to Highway 101 at 16<sup>th</sup>/17<sup>th</sup> Street.  
D. Monn, Public Works Director
12. Adopt Resolution 07-XXX accepting the recordation of Parcel Map PR 04-0428, a two-lot residential subdivision located at 411 Vine Street. All conditions imposed by the Planning Commission have been satisfied. No annexation to the Communities Facilities District will be required since the subdivision pre-dated its formation. (Dike)  
R. Whisenand, Community Development Director
13. Adopt Resolution 07-XXX accepting the recordation of Parcel Map PR 04-0495, a two-lot residential subdivision located at 415 7<sup>th</sup> Street. All conditions imposed by the Planning

Commission have been satisfied. No annexation to the Communities Facilities District will be required since the subdivision pre-dated its formation. (Erskine)  
R. Whisenand, Community Development Director

14. Adopt Resolution 07-XXX accepting the recordation of Parcel Map PR 06-0012, a two-lot residential subdivision located at 1810 Park Street. All conditions imposed by the Planning Commission have been satisfied. No annexation to the Communities Facilities District will be required since the subdivision pre-dated its formation. (Stoll)  
R. Whisenand, Community Development Director

15. Adopt Resolution 07-XXX authorizing the recordation of Tract 2782, a seven-lot subdivision of an 8.33-acre site, located on the easterly extension of Experimental Station Road near Buena Vista Drive, and authorizing the Mayor to execute the Subdivision Improvement Agreement guaranteeing construction of the subdivision improved by September 4, 2008; and adopt Resolution 07-XXX annexing Lots 1-7 of Tract 2782 into the Community Facilities District No. 2005-1, and recording the Amendment to the Notice of Special Tax Lien; and adopt Resolution 07-XXX annexing Tract 2782 into the Landscape and Lighting District. With the exception of the construction of public improvements, all conditions imposed by the Planning Commission have been satisfied. (Paso Robles VII, LLC)  
R. Whisenand, Community Development Director

## ROLL CALL VOTE

## DISCUSSION

16. **Request to Remove One Oak Tree at 3328 Spring Street OTR 07-005**  
R. Whisenand, Community Development Director

For the City Council to consider a request by Paso Robles Spring Street LLC to remove one 6-inch oak tree in the 34<sup>th</sup> Street frontage of a proposed mixed use development (58 unit senior condo, and 5,300 s.f. of commercial space) located at 3328 Spring Street (former Paso Robles Ford Dealership site).

### OPTIONS:

- a. Adopt Resolution No. 07-xx approving OTR 07-005, allowing the removal of a 6-inch Live Oak tree to allow construction of improvements or otherwise allow reasonable use of the property, and require two replacement trees; or
- b. Amend, modify, or reject the above option.

## ROLL CALL VOTE

17. **Prisoner Litigation Reform Act – Request to Intervene**  
L. Solomon, Chief of Police

For the City Council to consider authorizing the Chief of Police to enter into a legal motion to intervene along with other state Police Chiefs, Sheriffs, and other various state officials against the federal Prison Litigation Reform Act (PLRA).

Under the PLRA, an appointed three-judge court can issue an order establishing a cap on the number of inmates to be incarcerated in the state prison system (thereby limiting the ability of county sheriffs to transfer inmates sentenced to state time) and/or order the immediate release of up to 40,000 prisoners.

**OPTIONS:**

- a. Authorize the Chief of Police, as well as other state law enforcement agencies, to enter into a legal motion to intervene against the federal Prison Litigation Reform Act (PLRA); or
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**18. Integrated Water Resource Plan: Wastewater Quality Control**

D. Monn, Director of Public Works

For the City Council to determine the direction for implementation of the Pre-Treatment and Source Control Program for wastewater. The implementation of this program is included in the City's Integrated Water Resources Management Plan and budgeted at \$70,000 annually.

**OPTIONS:**

- a. Authorize an Industrial Waste Manager position at a professional management II level for development and implementation of the City's Pretreatment and Source Control Program, and an associated permanent base year budget amendment of \$61,000 for the Sewer Operations Fund; or
- b. Authorize the City manager to approve a Purchase Order in the amount of \$147,475 to Wallace Group for one year of consulting services for the Pretreatment, Source Control Program, and a supplemental budget appropriation of \$77,500 to cover the program costs.
- c. Amend or modify these options.

**ROLL CALL VOTE**

**CITY MANAGER** - None

**CORRESPONDENCE** - None

**AD HOC COMMITTEE COMMUNICATION**

**19. Ad Hoc Committee Formation – Town Centre Master Plan**

R. Whisenand, Community Development Director

Consider forming an ad hoc committee to assist and guide staff in selection of consultant and direction for a Town Centre Expansion/Revitalization Plan.

**OPTIONS:**

- a. Appoint two Councilmembers to an ad hoc committee to work with staff to select the most qualified firm to prepare a Town Centre Master Plan; and report back to the full Council by December 31, 2007; or
- b. Amend, modify, or reject the above option.

**VOICE VOTE**

**COUNCIL COMMENTS (Including oral reports on conferences attended) - None**

**ADJOURNMENT:**

- to THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, WEDNESDAY, SEPTEMBER 5 TO SATURDAY, SEPTEMBER 8, 2007 AT THE SACRAMENTO CONVENTION CENTER
- to THE PLANNING COMMISSION MEETING AT 7:30 PM ON TUESDAY, SEPTEMBER 11, 2007, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET
- to THE REGULAR MEETING AT 7:30 PM ON TUESDAY, SEPTEMBER 18, 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 SEPTEMBER 7, 2007***