



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL AGENDA

Tuesday, July 7, 2009 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

PLEASE REFRAIN FROM CELL PHONE USE DURING THE MEETING
PLEASE TURN RINGER OFF

7:30 PM – CONVENE REGULAR MEETING

CALL TO ORDER – Downstairs Conference Center

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL Councilmembers John Hamon, Nick Gilman, Ed Steinbeck, Fred Strong, and Mayor Duane Picanco

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. **Eagle Scout Presentation to Wesley Adam Levanduski**
D. Monn, Public Works Director
2. **Water Conservation Update**
D. Monn, Public Works Director

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.

3. Approve City Council minutes of June 11, 2009
Approve City Council minutes of June 16, 2009
Approve City Council minutes of June 18, 2009
D. Fansler, City Clerk
4. Approve Warrant Register: Nos. 84724—84868 (06/12/09) and 84869-85080 (06/19/09) and 85081-85212 (6/26/09)
J. Throop, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:
Business Improvement District Committee meeting of April 28, 2009
Youth Commission meeting of May 6, 2009
Senior Citizen Advisory Committee meeting of May 11, 2009
Parks and Recreation Advisory Committee meeting of May 12, 2009
Promotions Coordinating Committee meeting of May 12, 2009
Library Board of Trustees meeting of May 14, 2009
Business Improvement District Committee meeting of May 26, 2009
Airport Advisory Committee meeting of May 28, 2009
6. Adopt Resolution No. 09-XX awarding the potholing contract to California Coastal Development in the amount of \$21,238 and authorize the City Manager to sign the contract on behalf of the City.
D. Monn, Public Works Director
7. Adopt Resolution 09-XX authorizing Emergency Services to purchase firefighter PPE for \$88,857 from Fisher Safety.
K. Johnson, Emergency Services Chief
8. Adopt Resolution 09-XX authorizing the recordation of Tract 3016, an 11-lot subdivision located on Dallons Drive and Golden Hill Road north of Highways 46E.
R. Whisenand, Community Development Director

9. Adopt Resolution 09-XX initiating proceedings for the annexation of PD 06-025, known as the Golden Hills Plaza and Tract 3016, to the Paso Robles Landscape and Lighting Maintenance District No. 1; and the levy and collection of assessments related thereto commencing with fiscal year 2010/2011; and adopt Resolution 09-XX declaring its intention to annex PD 06-025, known as Golden Hills Plaza and Tract 3016, to the Paso Robles Landscape and Lighting Maintenance District No. 1; and declaring its intention to conduct a property owner protest ballot proceeding on the matter of the new assessments related thereto commencing with fiscal year 2010/2011.
R. Whisenand, Community Development Director
10. Adopt Resolution 09-XX declaring certain City property as surplus and authorize their sale by public auction.
D. Monn, Public Works Director

ROLL CALL VOTE

DISCUSSION

ADJOURN TO JOINT MEETING OF PUBLIC FINANCING AUTHORITY, REDEVELOPMENT AGENCY & CITY COUNCIL

ADJOURN TO REDEVELOPMENT AGENCY

ROLL CALL Agency Members Nick Gilman, Duane Picanco, Ed Steinbeck, Fred Strong and Chairman John Hamon

11. **Redevelopment Agency – sale up to \$16,000,000 of Tax Allocation and Refunding Bonds** J. Throop, Administrative Services Director

Consider authorizing the sale up to \$16,000,000 of Tax Allocation and Refunding Bonds.

OPTIONS:

- a. Adopt Resolution 09-XXX a resolution of the Redevelopment Agency of the City of El Paso de Robles Employing bond counsel, disclosure counsel, financial advisor, bond underwriter, fiscal consultant and trustee, and approving the form of fee agreements in connection with the issuance of 2009 tax allocation refunding bonds (Series A) and 2009 tax allocation bonds (Series B); and
- b. Adopt Resolution 09-XXX, a resolution of the Redevelopment Agency of the City of El Paso de Robles authorizing the sale of not to exceed \$16,000,000 combined aggregate principal amount of the Redevelopment Agency of the City of El Paso de Robles (Paso Robles Redevelopment Project) 2009 tax allocation refunding bonds and 2009 taxable tax allocation bonds, approving, authorizing and directing execution of a second supplemental indenture of trust, approving the form of a bond purchase agreement, a continuing disclosure certificate, an escrow agreement and an official statement, and directing certain actions with respect thereto; or
- c. Amend, modify or reject the above option.

ROLL CALL VOTE

ROLL CALL (Public Financing Authority)

12. Public Financing Authority (the “Authority”) Approval of the Issuance of Tax Allocation Bonds from the Redevelopment Agency

J. Throop, Administrative Services Director

For the Public Finance Authority to consider the sale up to 16,000,000 of Tax Allocation Refunding Bonds.

OPTIONS:

- a. Adopt Resolution 09-XXX approving the issuance by the Redevelopment Agency of the City of El Paso de Robles of its 2009 tax allocation refunding bonds and taxable tax allocation bonds and making certain determinations in connection therewith; or
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

ADJOURN TO CITY COUNCIL MEETING

13. Redevelopment Agency Issuance of Tax Allocation Bonds

J. Throop, Administrative Services

City Council to consider approving the Redevelopment Agency’s issuance of tax allocation refunding and taxable tax allocation bonds and making certain determinations in connection therewith.

OPTIONS:

- a. Adopt Resolution 09-XXX approving the Redevelopment Agency’s issuance of 2009 tax allocation refunding and taxable tax allocation bonds, and making certain determinations in connection therewith; or
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

14. Code Amendment 09-001: Reasonable Accommodation

R. Whisenand, Community Development Director

Consider supplemental information and either amend or adopt ordinance relating to housing policies (“reasonable accommodation”)

OPTIONS:

- a. Adopt Ordinance No. XXX N.S. amending the Zoning code to establish a Reasonable Accommodation Ordinance, along with updating the City’s land use definitions to be in compliance with the Housing Element of the General Plan, Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act.
- b. Reintroduce Ordinance No. XXX N.S., as modified, amending the Zoning Code to establish a Reasonable Accommodation Ordinance, along with updating the City’s land use definitions to be in compliance with the Housing Element of the General Plan, Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act.
- c. Amend, modify or reject the above option.

ROLL CALL VOTE

15. Code Amendment 09-002: Employee Housing

R. Whisenand, Community Development Director

Consider supplemental information and either amend or adopt ordinance relating to housing policies (“employee housing”)

OPTIONS:

- a. Adopt Ordinance No. XXX N.S. amending the Zoning Code to establish a definition and regulations for Employee Housing.
- b. Reintroduce Ordinance No. XXX N.S., as modified, amending the Zoning Code to establish a definition and regulations for Employee Housing,
- c. Amend, modify or reject the above option.

ROLL CALL VOTE

16. Development Impact Fee Update Program

R. Whisenand, Community Development Director

For the City Council to confirm a process for reconsideration of public facility needs and development impact fees.

OPTIONS:

- a. Form an ad hoc committee to evaluate the AB 1600 facility Needs List and related policies.
- b. Schedule public reconsideration of the Government Facilities portion of the Needs List.
- c. Amend, modify or reject the above option.

ROLL CALL VOTE

17. Animal Control Contract

L. Solomon, Chief of Police

Consider an amendment to the agreement with the County of San Luis Obispo for the provision of Animal Control Services from July 1, 2009 to September 30, 2009 in the amount of \$50,110.

OPTIONS:

- a. Adopt Resolution 09-XXX authorizing the Mayor to execute a "First Amendment to Contract for Animal Services" representing a three (3) month contract extension at a cost of \$50,110 with the County of San Luis Obispo Sheriff's Department Animal Services Division for animal control services.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

18. Designate a Delegate for the 2009 League of Cities Annual Conference

D. Monn, Public Works Director

For City Council to select a delegate and alternate for the 2009 League of Cities Annual Conference to be held in San Jose, September 16 – 18, 2009.

OPTIONS:

- a. Select a delegate and alternate for the League of California Cities Annual Conference; or
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

ADVISORY BODY COMMUNICATION

19. Senior Advisory Committee – Alternate Positions

A. Robb, Library and Recreation Director

For City Council to consider appointments to alternate positions on the Senior Advisory Committee.

OPTIONS:

- a. For the City Council to designate Marie C. Brinkmeyer and Sandra "Sammy" P. Nemeth as alternate members to the Senior Advisory Committee.
- b. Amend, modify, or reject the above option.

VOICE VOTE

COUNCIL COMMENTS (Including oral reports on conferences attended)

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 (a)

Number of cases: Four

1) San Luis Obispo Superior Court Case No. CV 09-8117

JOHN E. BORST, ET AL vs. THE CITY OF EL PASO de ROBLES

2) San Luis Obispo Superior Court Case No. CV 09-8083

JOHN E. BORTS vs. THE CITY OF EL PASO de ROBLES

3) U.S. District Court, Central District, Case No. CV 09-2370 PA (JWJx)

SPERLING vs. ERIC HOLDER

4) San Luis Obispo Superior Court Case No. CV 09-8235

BERG ET AL., vs. PICANCO, ET AL.

b. Conference with Legal Counsel – Anticipated Litigation

Government Code Section 54956.9 (c)

Number of cases: One

ADJOURNMENT:

- IQMS 20th ANNIVERSARY CELEBRATION, JULY 10, 2009 AT 2231 WISTERIA LANE, PASO ROBLES
- THE JOINT PLANNING COMMISSION/CITY COUNCIL BREAKFAST AT 7:00 AM, FRIDAY, JULY 17, 2009 AT THE TOUCH OF PASO RESTURANT, PASO ROBLES
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, JULY 21, 2009, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the City Council after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the City Clerk's Office, 1000 Spring Street, Paso Robles, CA, during normal business hours, and may be posted on the City's web site at <http://www.prcity.com/government/citycouncil/agendas.asp>.

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 JULY 10, 2009*