

Any person desiring to speak on an agenda item is asked to fill out a *Speaker Information Card* and place it 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.

CITY COUNCIL AGENDA

Tuesday, August 3, 2004 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 George Finigan, Jim Heggarty, Gary Nemeth, Duane Picanco 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. [Code Amendment 02-007 \(Signs\)](#)

R. Lata, Community Development Director

Consider continuing this already open public hearing regarding an update of the City's sign ordinance. (In light of legal issues and complexity, additional time is needed to refine the text of the proposed ordinance.) CONTINUED FROM FEBRUARY 3, 2004

OPTIONS:

- a. Continue the open public hearing to update the City's sign ordinance to the Council's regular meeting of October 19, 2004.
- b. Amend, modify, or reject any of the above option.

ROLL CALL VOTE

2. [Code Amendment regarding Limitation on Vehicle Weights in Residential Zones](#)

R. Lata, Community Development Director

Consider continuing this open public hearing to consider limitations on vehicle weight limits on residential streets. (During the summer of 2002, Council discussed options to limit the weight of trucks within residential zoned areas. Further action was deferred pending a court decision that could impact the City's ability to enforce vehicle weight restrictions. Subsequently, the City Attorney advised that the City could proceed with consideration of an ordinance; however, in light of other pending project priorities, including the Chandler Ranch Area Specific Plan, a continuance is necessary to allow time to prepare a report outlining options open to the Council. CONTINUED FROM FEBRUARY 3, 2004

OPTIONS:

- a. Continue the open public hearing regarding vehicle weight restriction in residential areas to the Council's regular meeting of August 17, 2004.
- b. Amend, modify, or reject any of the above option.

ROLL CALL VOTE

3. [Sewer and Water Development Impact Fees](#)

M. Compton, Administrative Services Director

Consider modifying sewer and water development impact fees. (Council adopted new sewer and water impact fees on December 18, 2001, and authorized review of fees every two years. Analysis of the City's water system indicates changes are needed to provide for the next five year's demands, including the Nacimiento Water Project, and Foresight Consulting was contracted in November 2003 to update the City sewer and water impact fees.) CONTINUED FROM JULY 20, 2004

OPTIONS:

- a. Adopt Resolution No. 04-xx establishing new sewer and water development impact fees.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

4. [Water User Fees for Nacimiento Water](#)

J. App, City Manager

Consider modifying water user fees for Nacimiento Water. (At its July 20th meeting, Council approved participation in the Nacimiento Water Project [NWP] with the San Luis Obispo Flood Control District. A proposed increase in water user fees of \$6/month every July 1st from 7-2-05 through 6-30-10 [a total rate increase of \$36) will be used to fund the cost of participating in the NWP.) CONTINUED FROM JULY 20, 2004

OPTIONS:

- a. Introduce and hold first reading of Ordinance No. XXX N.S. to modify sewer and water user fees; and set August 17, 2004, as the date for adoption of said ordinance.
- b. Amend, modify, or reject the above 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 5-17 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

- 5. Approve City Council minutes of:
[June 28, 2004](#) [July 6, 2004](#) [July 8, 2004](#) [July 14, 2004](#) [and July 20, 2004](#)
D. Fansler, City Clerk
- 6. [Approve Warrant Register: Nos. 49003 – 49176 \(7/16/04 and 49177 – 49306 \(7/23/04\)](#)
M. Compton, Administrative Services Director
- 7. Receive and file Advisory Body Committee minutes as follows:
[Airport Advisory Committee meeting of June 24, 2004](#)
[Pioneer Museum Board meeting of June 10, 2004](#)
- 8. [Receive and file update on Atascadero Automatic Aid Agreement.](#) (In February 2004, Council executed an automatic aid agreement with the City of Atascadero for specific fire resources. Responses to Atascadero were estimated to be between six and twelve per year under the new agreement. Actual responses to Atascadero for period February 3 – July 20 were three, and Paso Robles received assistance from Atascadero on one occasion during the same period.)

K. Johnson, Emergency Services Chief

9. [Adopt Resolution No. 04-xx accepting the public improvements of Tract 2254-3 into the City's maintenance system.](#) (Developer & Subdivider: Bermant Development Company. This subdivision is located along Silver Oak Drive and Silverwood Way, west of Beechwood Drive and east of Creston Road. All public improvements have been constructed to the satisfaction of the City Engineer.)
R. Lata, Community Development Director
10. [Adopt Resolution No. 04-xx annexing PD 98-016 into Landscape and Lighting District No. 1](#) (Applicant: Canyon Creek Limited Partnership. This project is 80 multi-family dwelling units on approximately seven acres, located on the south side of Oak Hill Road, west of Nicklaus Road. PD 98-016 was originally approved by the Planning Commission with the condition that the property annex into the Landscape and Lighting District.)
R. Lata, Community Development Director
11. [Adopt Resolution No. 04-xx allocating the City's 2004 Community Development Block Grant \(CDBG\) funds.](#) (Council adopted resolutions in March and April 2004 determining which activities were to be funded with the City's 2004 CDBG funds. The City now needs to make appropriations for the projects.)
R. Lata, Community Development Director
12. [Adopt Resolution No. 04-xx approving a budget appropriation in the amount of \\$62,600 from the Airport Enterprise Fund.](#) (This appropriation is to purchase Airport crash fire equipment in conjunction with 95% grant funding from the Federal Aviation Administration. The proposed equipment will meet all FAA requirements for crash-rescue equipment with only one vehicle and eliminate the current need for a second support fire engine.)
M. Williamson, Interim Public Works Director
13. [Adopt Resolution No., 04-xx awarding a contract to PCI for \\$23,471 to perform the City's Annual Street Striping Project, DPW No. 04-08.](#) (At the bid opening on July 22, 2004, four bids were received, ranging from \$23,471 to \$28,748. The low bid submitted by PCI of Long Beach was reviewed and found to be responsive.)
M. Williamson, Interim Public Works Director
14. [Adopt Resolution No. 04-xx authorizing the purchase of two street sweeping machines for a total cost of \\$263,254.](#) (At the bid opening on July 15, 2004, five bidders provided six bids — four for regenerative air sweepers and two for mechanical broom sweepers. The bids ranged from \$111,514.78 to \$145,884.00 for the regenerative air sweeper and from \$151,739.45 to \$155,841.76 for the mechanical broom sweeper. The low bid for the regenerative air sweeper submitted by GCS Western Power of Buena Park and the low bid for a mechanical broom sweeper submitted by Paso Robles Truck Center were reviewed and deemed responsive.)
M. Williamson, Interim Public Works Director
15. [Adopt Resolution No. 04-xx authorizing the City Manager to enter a contract with TPG Consulting for design of a traffic signal at 24th and Vine Streets for \\$6,400.](#) (An informal Request for Proposals was issued to five traffic engineers, with all responding with bids ranging from \$6,400 to \$17,800. The proposal submitted by TPG Consulting is significantly lower than the other bids, but is complete in its scope of work. This item was presented to the Streets and Utilities Committee, who endorsed the TPC Consulting proposal.)
M. Williamson, Interim Public Works Director

16. [As the work of the committee is not yet completed, extend the ad hoc committee formed in August 2003 to analyze and report on traffic-calming alternatives to the Streets and Utilities Committee to November 4, 2004.](#)

M. Williamson, Interim Public Works Director

17. [As the work of the committee is not yet completed, extend the ad hoc committee formed in January 2003 to review Airport development and policy to July 19, 2005.](#)

M. Williamson, Interim Public Works Director

ROLL CALL VOTE

DISCUSSION

18. [Emergency Well Repair Status Report](#)

M. Williamson, Interim Public Works Director

Receive an update on emergency well repair and development. (The City has 16 existing production wells operating within the City limits, and it is critical to meeting our water production needs to keep all of these in operation. This report is intended as an update on expenditures from the City's Water Utility fund to facilitate emergency and scheduled repairs and explore new water production opportunities.)

OPTIONS:

- a. Receive and file the report on emergency well repair and production development.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

19. [Emergency Water Contingency Plan](#)

M. Williamson, Interim Public Works Director

Consider adopting an Emergency Water Contingency Plan to address diminishing water storage levels. (The San Simeon earthquake damaged one of the City's 4-million gallon storage reservoirs, reducing the City's water storage capacity by one-third. In April, Council declared an Emergency Water Shortage and all residents were asked to reduce their water use by 25%. Consumption records indicate that only a 3% water savings has been achieved over last year. It is imperative that the City have a plan in place that can prevent system wide outages in the water delivery system and can provide for potable consumption and fire fighting.)

OPTIONS:

- a. Adopt Resolution No. 04-xx adopting the Emergency Water Shortage Contingency Plan.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

20. [Melody Drainage Basin/Park Study – Request for Proposals](#)

M. Williamson, Interim Public Works Director

Review a draft scope of work for proposals to complete/update technical analysis and prepare design options for the Melody Drainage Basin/Park. (This basin/park is located between Caddie Lane and Melody Drive, surrounded by single-family residences.)

OPTIONS:

- a. Direct staff to solicit proposals for the Melody Basin/Park Study in accordance with the draft Request for Proposals and its identified Scope of Work, and extend the ad hoc committee formed 5/4/04 to May 16, 2005.
- b. Amend, modify, or reject one of the above option.

ROLL CALL VOTE

21. [Housing Element Amendment](#)

R. Lata, Community Development Director

Review draft revision to the December 2003 Housing Element. (Prior to adoption, the State Department of Housing and Community Development [HCD] reviews all draft Housing Elements for compliance with State Housing Element Law. On December 12, 2003, HCD advised the City that its draft Housing Element needed to be refined. In order to meet the legal deadline to have a new Housing Element by the end of 2003, on December 16, 2003, the City adopted the Housing Element in the General Plan Update, knowing that the Element would have to be revised at a later date.)

OPTIONS:

- a. Receive and file the Draft Revised Housing Element.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

22. [Project Study Report – Airport Road / Highway 46 East](#)

R. Lata, Community Development Director

Consider selecting a consultant to prepare the Project Study Report (PSR) for the Airport Road/Highway 46 East project. (A future interchange of Airport Road with Highway 46 East has been in the City's General Plan since 1991. District 5 Caltrans staff and the San Luis Obispo Council of Governments recognizes that long term planning for this interchange needs to occur as soon as possible to identify and preserve the necessary right of way and to avoid unnecessary long term costs and economic disruptions. An at-grade signalized intersection is the City's goal for an interim improvement, recognizing that the need and funding for a full grade-separated interchange is many years away. A Request for Proposals to prepare the necessary PSR was distributed and three qualified and experienced firms responded. After review, it appears that Omni-Means has the best proposal for the most acceptable cost.)

OPTIONS:

- a. Adopt Resolution No. 04-xx awarding a contract Omni-Means for a not-to-exceed amount of \$280,000 to prepare the Project Study Report for the intersection of Airport Road and Highway 46 East consistent with the attached Exhibit A Scope of Work; establish a budget of \$280,000 for the subject project; approve a promissory note for the General Fund advance to the Airport Road Project Study Report Fund; and authorize the City Manager to enter into a contract services agreement.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

23. [Airport Short-Term Lease – Cook’s Coastal Enterprises](#)

M. Williamson, Interim Public Works Director

Consider a short-term, month-to-month lease agreement for office space in the Airport Terminal with Cook’s Coastal Enterprises. (Applicant Eric Cook proposes the premises be used as a business office in support of his flight instruction activities conducted at the Airport. The proposed operation meets the requirements of the FAA and the City’s requirement for conduct of business on the airport.)

OPTIONS:

- a. Adopt Resolution No. 04-xx approving a short-term lease agreement with Eric Cook, dba Cook’s Coastal Enterprises, for office space within the Airport Terminal building at 4900 Wing Way.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

24. [Airport Short-Term Lease – Riley’s Restaurant Corporation](#)

M. Williamson, Interim Public Works Director

Consider a short-term, month-to-month lease agreement for office space in the Airport Terminal with Riley’s Restaurant Corporation. (Applicant proposes the premises be used as a business office to conduct the administrative functions of its restaurant operation, also located in the Terminal building.)

OPTIONS:

- a. Adopt Resolution No. 04-xx approving a short-term lease agreement with Riley’s Restaurant Corporation for office space within the Airport Terminal building at 4900 Wing Way.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

25. [Amendment to Transit Operations Contract](#)

M. Compton, Administrative Services Director

Consider approval of amendment to the transit operations contract with Laidlaw Transit Services. (In June 2001, the City's contract with Laidlaw Transit Services was modified to provide additional compensation to Laidlaw to cover increased staff wages and benefit costs. Laidlaw is again requesting a contract modification for the same purposes. If approved, the City will have sufficient TDA [Transportation Development Act] and Federal Transit Administration funds to cover the increase cost. There will be no impact on transit fares, as there is no proposal to increase fares.)

OPTIONS:

- a. Adopt Resolution No. 04-xx approving a contract amendment with Laidlaw Transit Services.
- b. Amend, modify, or reject the foregoing option.

ROLL CALL VOTE

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS - None

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

ADJOURNMENT: to THE REGULAR MEETING AT 7:30 PM ON TUESDAY, AUGUST 17, 2004, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

***THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR
COUNCIL MEETING IS AUGUST 6, 2004***