



CITY OF EL PASO DE ROBLES
"The Pass of the Oaks"

CITY COUNCIL AGENDA

Tuesday, December 18, 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 - None

PUBLIC HEARINGS

1. Rezone 07-002 – Rezone Property from R3 to C3-MU Riverside Avenue (Weyrick)

R. Whisenand, Community Development Director

For the City Council to consider an application to rezone properties located at 2027, 2041 and 2049 Riverside Avenue to bring the zoning designation into conformance with the existing Commercial Service General Plan Land Use designation. The applicant proposes to convert an existing 8-unit apartment complex into a mixed-use complex (PD 07-010). The existing house located at 2027 Riverside Avenue would be removed to provide a parking area for the complex.

OPTIONS:

- a. Introduce for first reading Ordinance No. XXX N.S. approving Rezone 07-002 to change the Zoning designation for properties located at 2027, 2041 and 2049 Riverside Avenue from Multi-Family Residential, 12-units per acre (R-3), to Commercial Light-Industrial, Mixed-Use Overlay (C3-MU), and set January 2, 2008 as the date for adoption; or
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

2. Demolition 07-006 - Determination of Historic or Architectural Significance and Demolition Permit Request at 836 Olive Street (Baier)

R. Whisenand, Community Development Director

For the City Council to consider an application for the demolition of one residence located at 836 Olive Street. Although the structure is listed in the City's Survey of Historic Resources, the Historic Review Report prepared for the project indicates that the structure is not historically significant. The applicant has submitted conceptual plans to construct a new two-story house on the property that is consistent with the City's General Plan by supporting infill residential development in the R2 zoning district.

OPTIONS: By separate actions:

- a. Approve Resolution No. 07-XXX adopting a Negative Declaration determining that the building is not of architectural or historic significance; and
- b. Authorize the demolition permit application be processed.
- c. Amend, modify or reject the above option.

ROLL CALL VOTE

3. Adoption of 2007 Editions of the California Codes

D. Monn, Director of Public Works

The State of California updates the California Codes every three years. The 2007 Edition, amending the Building, Plumbing, Mechanical, Electrical and Fire Codes, will become effective January 1, 2008. On November 14, 2007 the City held a public workshop presenting an overview of the changes. The City can make amendments to the 2007 Codes based on findings of local climatic, geological, and topographical conditions.

OPTIONS:

- a. (1) Introduce for first reading Ordinance No. XXX N.S. adopting by reference the California Codes, and set January 2, 2008 for adoption; and
- (2) Adopt Resolution No. 07-XXX amending the code to local conditions; and
- (3) Introduce for first reading Ordinance No. XXX N.S. amending the California Codes to local conditions, and set January 2, 2008 for adoption; or
- b. Amend, modify, or reject one of the above options.

ROLL CALL VOTE

4. Adoption of Amendments to Chapter 17.12 – Security of Bodies of Water

D. Monn, Director of Public Works

The State of California has amended a portion of the language contained in Health and Safety Code Section 115922 to more fully define bodies of water and related protective enclosures within the Code. For the City Council to consider amending Chapter 17.12 of the Municipal Code to be consistent with State Requirements.

OPTIONS:

- a. Introduce for first reading Ordinance No. XXX N.S. amending chapter 17.12, Sections 17.12.010 and 17.12.020 to reflect current language contained in State Health and Safety Code Section 115922; or
- b. Amend, modify, or reject one of the above options.

ROLL CALL VOTE

**ADJOURN TO JOINT MEETING OF
REDEVELOPMENT AGENCY & CITY COUNCIL**

ROLL CALL Agencymembers John Hamon, Gary Nemeth, Duane Picanco, Frank Mecham, and Chairman Fred Strong

5. Redevelopment Plan and Implementation Plan

R. Whisenand, Community Development Director

For the Redevelopment Agency to conduct a public hearing on the status of the Redevelopment Plan and the Redevelopment Implementation Plan.

OPTIONS:

- a. Receive and file this report on the Implementation Plan; and
- b. Direct that the Implementation Plan be amended prior to December 2009 to address matters of importance to the Redevelopment Agency; or
- c. Amend, modify, or reject the above options.

ROLL CALL VOTE (REDEVELOPMENT AGENCY)

6. Redevelopment Agency 2007 Annual Report

J. Throop, Administrative Services Director

Consider accepting the Redevelopment Agency Annual Report for fiscal year 2007. California Redevelopment Law requires that the Agency Board present an annual report to the City Council. The Annual Report was presented to the Agency's Project Area Committee on December 5, 2007, and they recommend acceptance of the report.

OPTIONS:

- a. Adopt Resolution No. RA 07-XXX accepting the Annual Report for the fiscal year ended June 30, 2007.
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE (REDEVELOPMENT AGENCY)

7. San Luis Obispo Housing Trust Fund - Request for Grant for Operating Funds

R. Whisenand, Community Development Director

For the City Council and the Redevelopment Agency to consider a request from the San Luis Obispo County Housing Trust Fund (HTF) for a grant to assist with their operating funds for fiscal year 2007/2008.

REDEVELOPMENT AGENCY

OPTIONS:

- a. Adopt Resolution No. RA 07-XXX approving a grant of \$7,500 in Redevelopment Low and Moderate Income Housing funds to the HTF for fiscal year 2007/2008 operating costs as recommended by the Project Area Committee; or
- b. Adopt Resolution No. RA 07-XXX approving a grant of \$5,000 in Redevelopment Low and Moderate Income Housing funds to the HTF for fiscal year 2007/2008 operating costs; or
- c. Amend, modify, or reject the above options.

ROLL CALL VOTE (REDEVELOPMENT AGENCY)

ADJOURN TO CITY COUNCIL MEETING

OPTIONS:

- a. Introduce for first reading Ordinance No. XXX, N.S. amending Chapter 3.40 Revenue and Finance of the Municipal Code to modify the Fiscal Year 2007/2008 Budget for the Redevelopment Agency of the City of El Paso de Robles, and set January 2, 2008 as the date for adoption; or
- b. Amend, modify, or reject 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.

8. [Approve City Council minutes of November 27 and December 4, 2007](#)
D. Fansler, City Clerk
9. [Approve Warrant Register: Nos. 74131—74296 \(11/30/07\) and 74297—74451 \(12/07/07\)](#)
J. Throop, Administrative Services Director
10. [Receive and file Advisory Body Committee minutes as follows:](#)
[Promotion Coordinating Committee meeting of October 29, 2007](#)
[Project Area Committee Meeting of December 5, 2007](#)
[Senior Citizens Advisory Committee minutes of November 7, 2007](#)
[Streets & Utilities Committee meeting of August 31, 2007](#)
[Youth Commission meeting of November 7, 2007](#)
11. [Read, by title only, and adopt Ordinance No. 940 N.S.,](#) repealing Ordinance No. 882 N.S., and establishing a consumption-based water fee structure. (1st reading December 4, 2007)
J. App, City Manager
12. [Adopt Resolution No. 07-XX](#) authorizing the City Manager to execute a three-year contract with Principal Insurance for Dental coverage (at a 15.5% increased rate guarantee), and switch both Long Term Disability (LTD), and Life Insurance coverage contracts to Principal (at decreased rates of 9.76% and 9.52% respectfully). All employee bargaining groups have endorsed the change in dental plans.
M. Williamson, Assistant City Manager
13. [Adopt Resolution No. 07-XX](#) approving the purchase of permanent and temporary sewer easements from three property owners to install a gravity sewer at Palm Court Lift Station No. 9, near Union Road, to provide increased dependability to nearby residents, and reduce ongoing maintenance costs of the lift station.
D. Monn, Director of Public Works
14. [Adopt Resolution No. 07-XX](#) accepting the recordation of Parcel Map PR 06-0214, a 4-lot commercial subdivision located at 90 and 160 Niblick Road. All conditions imposed by the Planning Commission have been satisfied. (Woodland Plaza II)
R. Whisenand, Community Development Director

15. [Adopt Resolution No. 07-XX](#) accepting the recordation of Tract 2716, a 39-lot re-subdivision of the 222.19 acre Links Golf Course at the northwest corner of Jardine and Beacon Roads. All conditions imposed by the Planning Commission on the subdivision of the property have been satisfied. Public improvements associated with this project, including work on Dry Creek Road, must be completed prior to occupancy of the first unit associated with the development of PD 06-021. (Gearhart)
R. Whisenand, Community Development Director
16. [Adopt Resolution No. 07-XX](#) approving the annexation of Parcel 2 of Parcel Map PR 06-0230, a 3-lot residential development and subdivision located at 1846 and 1910 Pine Street, to the existing Community Facilities District (CFD) No. 2005-1, and adopt Resolution No. 07-XXX accepting the recordation of the Parcel Map. (Newton)
R. Whisenand, Community Development Director
17. [Adopt Resolution No. 07-XX](#) approving and consenting to an assignment of lease from Allen Yarborough to KMBG, LLC for Lot 3 of Parcel 16, 5070 Wing Way, in the Airport Industrial Park. The lease remains in full compliance KMBG is affiliated with Applied Technologies, a major tenant at the airport.
M. Williamson, Assistant City Manager

ROLL CALL VOTE

DISCUSSION

18. [Integrated Waste Management Authority Resolution No. 07-03](#)

D. Monn, Director of Public Works

For the City Council to consider a new pass-through fee increase instituted by the San Luis Obispo County Integrated Waste Management Authority in September 2007. Neither the IWMA nor the City's franchisees, Paso Robles Waste Disposal Inc., or Paso Robles Roll Off will receive any financial gain. The fee to be collected is 30 cents per month from residential customers, and 2 percent of the monthly bill for commercial customers, and will be used to offset increased operational expenses.

OPTIONS:

- a. Adopt Resolutions regarding collection of a pass-through solid waste management fee, and authorized contract amendments with Paso Robles Waste Disposal and Paso Robles Roll Off, consistent with the IWMA Resolution No. 07-03; or
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

19. [Carnegie Library Repair and Retrofitting Contract Award](#)

D. Monn, Director of Public Works

For the City Council to consider funding and awarding a construction contract to repair and retrofit the Carnegie Library.

OPTIONS:

- a. Adopt Resolution No. 07-XXX:
 - 1. appropriating funds to repair and retrofit the City's Carnegie Library by advancing \$357,491 from the City Building Repair Fund to cover the rehabilitation cost associated with the Library not covered by FEMA; and
 - 2. award the construction contract to Newton Construction for \$2,017,500; or
- b. Amend, modify or reject the above options.

ROLL CALL VOTE

20. Carnegie Library Repair and Retrofitting Construction Management

D. Monn, Director of Public Works

For the City Council to consider awarding a contract for construction management services for the repair and retrofitting of the Carnegie Library. In December 2007, a Request for Proposal was issued to 49 firms to provide services; six firms responded with fees ranging from \$172,500 to \$378,950.

OPTIONS:

- a. Adopt Resolution No. 07-XXX appropriating funds and engaging Bachini Deferville Management to provide construction management oversight for the repair and retrofitting of the Carnegie Library in the amount of \$189,750; or
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

21. Request for Temporary Removal of Parking and Sidewalk at 1244 Park Street (Hughes)

R. Whisenand, Community Development Director

For the City Council to consider a request for temporary restriction of parking and sidewalk use at 1244 Park Street, and to consider the scope of public improvements (alley paving) associated with the building permit application.

OPTIONS:

- a. Adopt Resolution No. 07-XXX approving a request for an encroachment permit for temporary restriction of the use of sidewalk and parking adjacent to 1244 Park Street from January through June 2008, subject to conditions for curb, sidewalk, street trees, and alley improvements; or
- b. Adopt Resolution No. 07-XXX approving a request for an encroachment permit for temporary restriction of the use of the sidewalk and parking adjacent to 1244 Park Street from January through June 2008, subject to conditions for the construction and maintenance of a covered walkway, and for curb, sidewalk, street trees, and alley improvements; or
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

22. PD 03-020 - Reimbursement for Installation of Traffic Signal and Storm Drain at 4th and Spring Streets (Pacific Management Development)

D. Monn, Director of Public Works

For the City Council to authorize reimbursement to Pacific Management and Development, developer of PD 03-020, for the installation of a traffic signal and storm drain.

The cost of the traffic signal is \$407,303 considerably higher than the original estimate, attributed to reconstruction of the intersection corners to provide for disabilities access. The cost of the storm drain is \$265,929, lower than the original estimate of \$300,000. Each reimbursement option includes authorization for payment to Associated Transportation Engineers in the amount of \$19,329 for services to design new handicap ramps and traffic signal timing operation.

OPTIONS:

- a. Adopt Resolution No. 07-XXX authorizing reimbursement to PMD in the amount of \$673,232 for the cost of installation of a traffic signal and storm drain at the intersection of 4th and Spring Streets; or
- b. Adopt Resolution No. 07-XXX authorizing reimbursement, but limiting to \$550,000, as stated in the Council Resolution (No. 07-028), adopted February 6, 2007,
- c. Amend, modify or reject the above option.

ROLL CALL VOTE

23. Drainage Maintenance Assessment District Formation and Landscape and Lighting Sub-Area 112 & 2A-1 Reballoting

D. Monn, Director of Public Works

For the City Council to consider the formation of a Drainage Maintenance Assessment District to protect residents against the potential of overland flooding along Ashwood Place, and to authorize the reballoting of Landscape and Lighting District sub-area 112 (Tract 2609 located at Meadowlark Road & Oriole Way), and sub-area 2A-1 (near the Oriole/Cool Valley basin) to increase the assessment to a level that will fund full service. If approved, the formation of the Drainage District and reballoting costs totaling \$20,000 will be paid with assessments collected from the new district and these sub-areas.

OPTIONS:

- a. Adopt Resolution No. 07-XXX approving the formation of a Drainage Maintenance Assessment District, and the reballoting of Landscape and Lighting District sub-areas 112 and 2A-1; or
- b. Amend, modify or reject the above options.

ROLL CALL VOTE

24. Economic Strategy – Positioning: Marketing Plan Implementation Measures

J. App, City Manager

For the City Council to consider tourism marketing plan implementation measures.

OPTIONS:

- a. Authorize:
 - (1) Commissioning of EVC County & City Tourism Analysis at a cost of \$10,000; and;
 - (2) Acquisition of software for, and development of, the tourism website at a cost of \$15,000; and
 - (3) Distribution of public relations and branding Requests for Proposal soliciting expert assistance to build interest for local tourism attractions and assets; or
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

25. Immigration Policy

J. App, City Manager

For the City Council to consider petitioning the Federal Government for comprehensive immigration reform.

OPTIONS:

- a. Authorize a letter to Congressman McCarthy and Senators Boxer and Feinstein urging comprehensive immigration policy reform; or
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

26. Local Ground Water Assistance Grant for the Paso Robles Groundwater Basin Management and Monitoring Program

D. Monn, Director of Public Works

For the City Council to authorize an application for a California Department of Water Resources, Local Groundwater Assistance Grant, to provide a funding source for a joint undertaking with San Luis Obispo County Flood Control & Water Conservation District. Funds would be used to prepare a Paso Robles Groundwater Basin Management and Monitoring Program. The estimated value of the grant application is \$215,000. All costs associated with the City's participation in this effort would be covered by the grant.

OPTIONS:

- a. Adopt Resolution No. 07-XXX authorizing the City make application to the California Department of Water Resources to obtain a Local Groundwater Assistance Grant, and to enter into an agreement to receive a grant for the Paso Robles Groundwater Basin Management and Monitoring Program; or
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

27. Water Treatment Plant Design Services Contract

D. Monn, Director of Public Works

For the City Council to consider amending the water treatment plant design services contract with Black & Veatch to incorporate separate design and procurement document preparation for a membrane system, expanded production capacity, and the incorporation of energy efficient building and materials.

OPTIONS:

- a. Adopt Resolution No. 07-XXX approving Amendment No. 1 to the water treatment plan design services contract, and authorizing an additional \$385,830 for these services; or
- b. Amend, modify, or reject the above option.

ROLL CALL VOTE

COUNCIL COMMENTS (Including oral reports on conferences attended)

ADJOURNMENT:

- THE JOINT PLANNING COMMISSION/CITY COUNCIL BREAKFAST MEETING AT 7:00 AM, FRIDAY, DECEMBER 21, 2007 AT THE TOUCH OF PASO RESTURANT, PASO ROBLES
- THE REGULAR MEETING AT 7:30 PM ON WEDNESDAY, JANUARY 2, 2008, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET, PASO ROBLES

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 DECEMBER 20, 2007*