



CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

CITY COUNCIL AGENDA

Tuesday, September 16, 2008 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. **Community Water Rates & Capacity Charges**

D. Monn, Director of Public Works

For the City Council to consider rejecting the currently proposed water rate and capacity charge proposals and to consider an alternative approach. Continued from September 2, 2008.

OPTIONS:

- a. Reject current July 2008 proposals for water rates and capacity charges, and direct staff to initiate alternative water rate and capacity charge proposals; or
- b. Adopt current water rate and capacity charge proposals by:
 1. (a) Establishing whether sufficient valid protests have been received per Proposition 218 procedures to prohibit adoption of the selected water rate structure, and either
 - (b) if there is not majority protest, proceed with the introduction of Ordinance No. XXX, N.S. scheduling October 7, as the date for reading and adoption of the Ordinance, or
 - (c) if there is a majority protest, directing development of rate alternatives; and
 2. Approve Resolution No. 08-XXX establishing water capacity charges.; or
- c. Amend, modify, or reject one of the above options.

ROLL CALL VOTE

2. **Code Amendment 08-001, Floodplain Management Ordinance**

R. Whisenand, Community Development Director

For the City Council to consider adopting revisions to Chapter 21.14 of the Municipal Zoning Code, updating the Floodplain Management Ordinance to comply with the most recent regulations included in the National Flood Insurance Program. Continued from July 15, 2008.

OPTIONS:

- a. Introduce Ordinance No. XXX, N.S., amending the Municipal Code Section 21.14 to conform to the National Flood Insurance Program, and set October 7, 2008 for adoption; 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.

3. Approve City Council minutes of September 2, 2008
D. Fansler, City Clerk
4. Approve Warrant Register: Nos. 79509—79589 (08/29/08) and 79590—79742 (09/05/08)
J. Throop, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:
Citizens Airport Advisory Committee meeting of July 24, 2008
Youth Commission meeting of June 4, 2008
6. Proclamation designating September 27 2008 as “Creek Day” in Paso Robles.
F. Mecham, Mayor
7. Certificate of Recognition recognizing Don Grove for 35 years as member of City staff in the Public Works Department.
F. Mecham, Mayor
8. Certificate of Recognition recognizing Steve Perkins for 22 years as member of City staff in the Public Works Department.
F. Mecham, Mayor
9. Adopt Resolution 08-XXX, authorizing a one-month extension of the City’s group health insurance contract with Blue Cross to conclude discussions with employee groups concerning alternative health plan options.
M. Williamson, Assistant City Manager
10. Adopt Resolutions to facilitate initial steps towards the annexation of Tracts 2772-1, 2772-2, and Parcel Map PR 07-0294 as Sub-Area 116, generally located at Airport Road and Old Dry Creek Road, to the Landscape and Lighting Maintenance District; and also declaring intention to conduct a public hearing on Tuesday, October 21, 2008 concerning the levy of assessments, commencing with Fiscal Year 2009/2010, for the annexation territory (Applicants: Hogue Brothers, Airport Road Business Park, Dry Creek Partners).
R. Whisenand, Community Development Director
11. Adopt Resolutions to facilitate initial steps towards the annexation of Tract 2778-2, as Sub-Area 37, generally located on the eastern end of Wisteria Lane, north of Highway 46, south of Dry Creek Road, east of Golden Hill Road, and west of Airport Road, to the Landscape and Lighting Maintenance District; and also declaring intention to conduct a public hearing on Tuesday, October 21, 2008 concerning the levy of assessments, commencing with Fiscal Year 2009/2010, for the annexation territory (Applicant: Erskine).
R. Whisenand, Community Development Director
12. Adopt Resolution 08-XX setting a Public Hearing on October 21, 2008 amend the area of Undergrounding District No. 5 to Riverside Avenue from 10th to 24th. The revised location of the Underground District No. 5 will not impact the General Fund and would allow the City to underground the overhead utilities along Riverside Avenue.
D. Monn, Public Works Director
13. Adopt Resolution 08-XX allowing the replacement of a septic leach field to serve a single-family residence located at 2241 Almond Springs Drive, north of 21st Street, APN 008-431 049. (Applicant: Toevs)
D. Monn, Public Works Director

14. Adopt Resolution 08-XXX, deeming Therapy Pool Improvements, Project DPW 05-11, complete and accepted by the City for maintenance
D. Monn, Public Works Director
15. Adopt Resolution 08-XX declaring certain City property as surplus, and authorizing the sale by public auction with the proceeds returned to the Equipment or Enterprise Fund from which it was drawn.
D. Monn, Public Works Director

ROLL CALL VOTE

DISCUSSION

16. **Paso Robles Juvenile Justice Facility Conversion Update**

L. Solomon, Chief of Police

For the City Council to consider conditional support of the California Department of Correction and Rehabilitation's use of state property adjacent to the former El Paso de Robles Youth Correctional Facility, as the preferred site for a 500-bed, joint re-entry facility to house inmates from the counties of San Luis Obispo, Santa Barbara, and San Benito.

OPTIONS:

- a. Adopt Resolution No. 08-XXX conditionally supporting the California Department of Corrections and Rehabilitation's use of state property adjacent to the former El Paso de Robles Youth Correctional Facility as the preferred site for a Central Coast Regional Secure Community Re-entry Facility; or
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

17. **Completion of Water Rate and Capacity Charge Studies**

D. Monn, Director of Public Works

For the City Council to consider amending its contracts with T. J. Cross Engineers, Inc., HF&H, and Kennedy/Jenks Consultants to complete the water rate and capacity charge studies.

OPTIONS:

- a. Adopt Resolution No. 08-XXX appropriating an additional \$48,000 from the Water Enterprise Fund to cover the extended services to-date associated with the water user rate and capacity charge studies, and authorize the amending of the existing contractual arrangements with the consultants to complete the process on a time and materials basis; or
- b. Amend, modify, or reject, the above option.

ROLL CALL VOTE

18. Carnegie Library Repair and Retrofitting, Additional Allocation

D. Monn, Director of Public Works and M. Williamson, Assistant City Manager

For the City Council to consider appropriating additional funds for unanticipated work associated with the retrofit of the Carnegie Library. It is anticipated that FEMA will reimburse the City more than fifty percent of the total change order amount, resulting in the City's share of incurred change orders being approximately \$222,000.

OPTIONS:

- a. Adopt Resolution No. 08-XXX appropriating an additional \$445,000 from the General Fund to cover the cost of change orders resulting from unforeseen conditions at the Carnegie Library; or
- b. Amend, modify, or reject, the above option.

ROLL CALL VOTE

19. Barney Schwartz Park Concession Operations

A. Robb, Director Library and Recreation Services

For the City Council to consider awarding a contract for concessions at Barney Schwartz Park.

OPTIONS:

- a. Authorize the contracts with Two Brothers Catering & Event Planning for the softball stand, and Fabiola and Jose Abarca for the soccer stand; or
- b. Amend, modify, or reject, the above option.

ROLL CALL VOTE

20. Pioneer Day Committee – Funding Request

James L. App, City Manager

For the City Council to consider a request for \$5,000 to support the Pioneer Day Parade and related activities.

OPTIONS:

- a. Council consider the request and make a determination; or
- b. Amend, modify, or reject, the above option.

ROLL CALL VOTE

21. Paso Robles Digital Film Festival, Request to Add to City Event Schedule

D. Monn, Public Works Director

For the City Council to consider a request by Buffalo Benford Productions, LLC to add the Paso Robles Digital Film Festival to the event schedule at the City Park, and the City Council Chambers, November 21-22, 2008. All costs to be accounted for and billed to the event producer.

OPTIONS:

- a. Waive current policy and approve the request to add the Paso Robles Digital Film Festival to the City Park event schedule.; or
- b. Amend, modify or reject the above option.

ROLL CALL 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. Pursuant to Government Code §54956.8 –Property Negotiation

Property: 3077 Rollie Gates Drive,
Paso Robles Municipal Airport

Lessee: Rollie Gates Investment Properties, LLC
City Negotiator: James L. App, City Manager

ADJOURNMENT:

- THE JOINT PLANNING COMMISSION/CITY COUNCIL BREAKFAST MEETING AT 7:00 AM, FRIDAY, SEPTEMBER 19, 2008 AT THE TOUCH OF PASO RESTURANT, PASO ROBLES
- THE REGULAR MEETING AT 7:30 PM ON TUESDAY, OCTOBER 7, 2008, 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 SEPTEMBER 26, 2008