

CITY COUNCIL MINUTES

Tuesday, September 20, 2005 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 Jim Heggarty, Gary Nemeth, Duane Picanco, Fred Strong, and Mayor Frank Mecham

PUBLIC COMMENTS

- Annie Robb, Interim Library & Recreation Services Director, announced several upcoming opportunities for public participation in planning for the future of the Salinas River corridor: A Community Open House on September 22nd and a two-day design workshop September 30th. The public was invited to become involved and learn more about current planning efforts.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

City Manager Jim App announced that Agenda Item No. 14 is being recommended for continuance to the Council meeting of October 4; and Item No. 17 is being withdrawn.

PRESENTATIONS - None

PUBLIC HEARINGS

1. General Plan Amendment of the Circulation Element; Specific Plan Amendment 03-003 of the Union/46 Specific Plan and Amendment of Tentative Tract 2369, PD 00-003 Conditions of Approval, and a Proposal to Eliminate the Planned Connection of Street 'A' to North River Road (Applicant's Representative: North Coast Engineering for Frank Arciero)

R. Lata, Community Development Director

Consider amending the Circulation Element Figure CE-1 and the Union/46 Specific Plan Map 3.2 to eliminate the planned connection of 'A' Street (Montebello Oaks Drive) to North River Road, approving other associated planning amendments; and adopting a Mitigated Negative Declaration associated with this project. (The Union / 46 Specific Plan covers properties located south of Highway 46 East, west of Prospect Avenue, north of Union Road, and east of North River Road.) CONTINUED FROM AUGUST 16, 2005

City Planner Susan DiCarli stated for the record that she had received a phone call this afternoon from resident Dale Chavez, who expressed his opposition to this project.

Mayor Mecham brought attention to a change in Exhibit A to Option C1 (agenda page 1-57).

Mayor Mecham opened the public hearing. Speaking from the public Steve Sylvester (North Coast Engineering), Kathy Barnett, and Joe Horn. There were no further comments from the public, either written or oral, and the public hearing was closed.

Councilmember Nemeth, seconded by Councilmember Heggarty, moved to (1) adopt Resolution No. 05-188 approving a Mitigated Negative Declaration for Amendments to the Circulation Element Figure CE-1, Specific Plan 03-003 Map 3.2, Tentative Tract 2369 and PD 00-003 Conditions of Approval, to mitigate potential traffic impacts to Union Road and Skyview Drive by accepting \$500,000 of mitigation fees, with an amended version of Exhibit A; and (2) adopt Resolution No. 05-189 approving the elimination of 'A' Street from connecting to North River Road by amending the Circulation Element Figure CE-1, the Union/46 Specific Plan by modifying Map 3.2, and amending the associated Conditions of Approval for Tentative Tract 2369 and PD 00-003 to eliminate the required connection of 'A' Street (Montebello Oaks Drive) to North River Road.

Motion passed by the following roll call vote:

AYES:	Heggarty, Nemeth, and Strong
NOES:	Picanco and Mecham
ABSTAIN:	None
ABSENT:	None

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

ROLL CALL Agencymembers Jim Heggarty, Frank Mecham, Duane Picanco, Fred Strong, and Chairman Gary Nemeth

DISCUSSION

2. Supplemental Low and Moderate Income Housing Funds for Canyon Creek Apartments

R. Lata, Community Development Director

For the Paso Robles Redevelopment Agency Board and City Council to consider a request from Peoples' Self-Help Housing Corp. (PSHHC) for additional assistance from the Low and Moderate Income Housing (LMIH) Funds to assist in the development of Canyon Creek Apartments. (This is a 68-unit family apartment complex under construction on an approximate 7-acre site, located on the southwest corner of Oak Hill Road and Nicklaus Drive.)

Chairman Nemeth opened the public hearing. Speaking from the public was Jeanette Duncan (Executive Director of Peoples' Self-Help Housing). There were no further comments from the public and the public discussion was closed.

Agencymember Strong, seconded by Agencymember Heggarty, moved to adopt Resolution No. RA 05-02 approving a grant of Redevelopment Low and Moderate Income Housing funds to Peoples' Self-Help Housing Corp. to assist the development of Canyon Creek Apartments. The current fiscal year's grant would total \$268,000, with subsequent grants of up to \$25,000 per year for the next five fiscal years.

Motion passed by the following unanimous roll call vote:

AYES:	Heggarty, Mecham, Picanco, Strong, and Nemeth
NOES:	None
ABSTAIN:	None
ABSENT:	None

Councilmember Strong, seconded by Councilmember Heggarty, moved to introduce for first reading Ordinance No. XXX N.S. amending the Redevelopment Budget and appropriating funds for said grant; and set October 4, 2005, as the date for adoption of said Ordinance.

Motion passed by the following unanimous roll call vote:

AYES:	Heggarty, Mecham, Picanco, Strong, and Nemeth
NOES:	None
ABSTAIN:	None
ABSENT:	None

ADJOURN TO CITY COUNCIL MEETING

CONSENT CALENDARS

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Consent Calendar Items Nos. 3 - 10 were unanimously approved on a single motion by Councilmember Nemeth, seconded by Councilmember Heggarty, with Mayor Mecham abstaining on Warrant Register Item No. 057314 and 057403 due to possible conflicts of interest.

3. Approve City Council minutes of September 6, 2005
D. Fansler, City Clerk
4. Approve Warrant Register: Nos. 57239 – 57324 (9/2/05) and 57325 – 57418 (9/9/05)
M. Compton, Administrative Services Director
5. Receive and file Advisory Body Committee minutes as follows:
Library Board of Trustees meeting of August 11, 2005
Youth Commission meeting of June 1, 2005
6. Approve submittal of the 2005 General Plan Annual Report to the Governor's Office of Planning and Research and to the Department of Housing and Community Development. (California Government Code requires local jurisdictions to prepare an annual report on the status of the General Plan and progress towards its implementation. The report is to be submitted by October 1 of each year.)
R. Lata, Community Development Director
7. Adopt Resolution No. 05-190 authorizing the City Manager to execute a contract with Blue Cross for medical coverage for one additional year. (The extension of the current health insurance contract would continue the same level of employee coverage at a shared cost between employees and the City in accordance with employee contracts.)
M. Williamson, Assistant to the City Manager
8. Adopt Resolution No. 05-191 supporting a grant application to the California Department of Transportation (CalTrans), Division of Aeronautics, for \$16,465 for Airport capital improvements. (The majority of the Airport Improvement Project is funded by grants from the FAA and the State. The City is now eligible for a supplemental matching grant from the State—5% of the FAA secondary grant.)
M. Williamson, Assistant to the City Manager
9. As the work of the committee is not yet complete, extend duration of the Purple Belt ad hoc committee to June 20, 2006. (In December 2004, Council appointed Councilmembers Picanco and Strong to an ad hoc committee to work with staff to address issues relating to implementing adopted General Plan policies regarding establishment of a Purple Belt.)
R. Lata, Community Development Director
10. As the work of the committee is complete, dissolve the ADA Assessment ad hoc committee. (In May 2005, Council appointed Councilmembers Heggarty and Strong to an ad hoc committee to review RFPs for a City-wide assessment of its programs and facilities for compliance with the Americans with Disabilities Act.)
D. Monn, Interim Director of Public Works

DISCUSSION

11. Cost of Services Study

J. App, City Manager, and M. Compton, Administrative Services Director

Consider adoption of cost of services fees. (The Cost of Services Study was presented to the full Council on June 21st after review by a Council ad hoc committee for integrity and completeness of the cost accounting, the implications of documented service costs in relation to adopted policies and budget priorities, and development of recommendations to modify service pricing to adjust for inconsistencies. Action was postponed to allow for reconsideration, particularly as it relates to special events. Following the August 24, 2005, Cost of Services Study public workshop, Council directed that staff develop adult sport fee alternatives for their consideration.) CONTINUED FROM JUNE 24, 2005

Mayor Mecham opened the public hearing. Speaking from the public were Kathy Barnett and Carrie Nelson. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Strong, moved to adopt Resolution No. 05-192 approving the schedule of fees identified in Exhibits A through G, including amended Exhibit F-3; and dissolve the Council ad hoc committee formed in April 2004 to review and analyze City-wide user fees (non-utility), with the caveat that staff update Council on a 6-month basis regarding impacts to sporting events.

Motion passed by the following roll call vote:

AYES:	Heggarty, Nemeth, Strong, and Mecham
NOES:	Picanco
ABSTAIN:	None
ABSENT:	None

Council recessed at 9:10 P.M., reconvening at 9:15 p.m.

12. Preliminary Fiscal Year 2005 General Fund Results and Fiscal Year 2006 Budget Adjustments

M. Compton, Administrative Services Director

Presentation of preliminary General Fund results for the fiscal year ended June 30, 2005, and budget adjustments for fiscal year 2006.

Mike Compton, Director of Administrative Services, advised Council that, on advice from the City auditor, a revised resolution has been prepared to allow for an accounting adjustment. The adjustment will increase projected fiscal year 2005 results by \$450,000, while lowering revenue results for fiscal year 2006 by a like amount.

Mayor Mecham opened the public hearing. Speaking from the public was Kathy Barnett. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Heggarty, moved to adopt an amended version of Resolution No. 05-193 authorizing the transfer of General Fund fiscal year 2005 results and adjusting the fiscal year 2006 budget.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

13. Library/City Hall Sulfur Spring and Carnegie Library

M. Williamson, Assistant to the City Manager

Receive update on the status of earthquake repairs related to the City Hall/Library sulfur spring and the Carnegie Library.

Mayor Mecham opened the public hearing. Speaking from the public was Mike Menath. There were no further comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Nemeth, moved to receive and file.

Motion passed by unanimous voice vote.

14. Amendment of Undergrounding District No. 5 for Overhead Utilities

D. Monn, Interim Public Works Director

Consider amending an established Undergrounding District within the City. (Allocation of design time and Rule 20A funding by Pacific Gas and Electric is directly related to project size. Increasing the size of Undergrounding District No. 5 will result in it being given a higher priority and use of Rule 20A funds would be consistent with the City's desire to mitigate unsightly overhead utilities within the downtown area.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Nemeth, seconded by Councilmember Picanco, moved to continue this item to the Council meeting of October 4, 2005.

Motion passed by unanimous voice vote.

15. CDBG-Funded LED-lighted Crosswalks

R. Lata, Community Development Director

Consider authorizing the installation of wireless LED-lighted crosswalks. (The LED-lighted Crosswalks program addressed by this report is to be funded with CDBG funds. There will be no impact to the General Fund.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Picanco, moved to authorize staff to seek bids to install a wireless LED-lighted crosswalk system at a single location (34th and Spring Streets) as a test case; and determine that future installations of wireless systems will be subject to subsequent Council authorization following an evaluation of the test case.

Motion passed by the following unanimous roll call vote:

AYES:	Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:	None
ABSTAIN:	None
ABSENT:	None

16. Supplemental Law Enforcement Service Fund

D. Cassidy, Chief of Police

Consider accepting up to \$100,000 from the California State Supplemental Law Enforcement Service Fund (SLESF) for future purchase of technological equipment. (Funds received from SLESF in fiscal year 2005/06 will be added to funds received in fiscal year 2004/05 to fund Mobile Data Computers in all patrol units.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Strong, seconded by Councilmember Nemeth, moved to adopt Resolution No. 05-194 accepting the California State Supplemental Law Enforcement Service funds available in fiscal year 2005/06. The funds will be used to implement a full Mobile Data Computer project for police department patrol units.

Motion passed by the following unanimous roll call vote:

AYES:	Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES:	None
ABSTAIN:	None
ABSENT:	None

16.1 Award of Contract for American with Disabilities Act Assessment

D. Monn, Interim Public Works Director

Consider awarding a contract to National Access Consultants to assess City facilities/programs and providing a transition plan to achieve compliance with the intent of the Americans with Disabilities Act. (The ADA was adopted in 1990 and amendments in 1995 established the requirement for government agencies to adopt a transition plan for achieving compliance with the Act. Following issuance of a Request for Proposals, five proposals were received in February 2005 and reviewed by staff and the Council ad hoc committee. It is the recommendation of the committee to contact with National Access Consultants.)

Mayor Mecham opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Councilmember Heggarty, seconded by Councilmember Strong, moved to adopt Resolution No. 05-195 authorizing the City Manager to enter into a contract with National Access Consultants in the amount of \$134,262 for assessment of city facilities/programs, create a transition plan to achieve compliance with the intent of the Americans with Disabilities Act, and appropriating an additional \$9,300 to cover the full cost of the contract.

Motion passed by the following unanimous roll call vote:

AYES: Heggarty, Nemeth, Picanco, Strong, and Mecham
NOES: None
ABSTAIN: None
ABSENT: None

CITY MANAGER - None

CORRESPONDENCE - None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS -

17. Ad Hoc Committee Formation – Review of Consultant Proposals

D. Monn, Interim Public Works Director

Consider appointing an ad hoc committee to review bid proposals for conducting a Public Relations Campaign for balloting of Landscape & Lighting District (L&LD) sub-areas.

No action taken. Item pulled from the agenda.

COUNCIL COMMENTS - None

PUBLIC COMMENT ON CLOSED SESSION

- Kathy Barnett inquired about property acquisition on southwest border of Vine Street.

City Attorney Iris Yang announced Council's authority to go into closed session to discuss the items listed on the agenda.

It was the consensus of Council to adjourn from regular session at 10:16 PM.

The City Council thereupon adjourned to Closed Session in the 2nd floor Large Conference Room.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

The City Council returned to Regular Session at 11:08 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Iris Yang announced that no reportable action was taken.

By unanimous voice vote, Council moved to adjourn from regular session at 11:10 PM.

ADJOURNMENT: to THE CRAFTING CALIFORNIA'S DESTINATION DOWNTOWNS CONFERENCE SEPTEMBER 28 – 30 AT THE RIVERIA RESORT, 1600 N. INDIAN CANYON DRIVE, PALM SPRINGS; TO THE FOLLOW THE RIVER/FOLLOW THE DREAM WORKSHOPS SEPTEMBER 29 – OCTOBER 1 AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; AND TO THE REGULAR MEETING AT 7:30 PM ON TUESDAY, OCTOBER 4, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

Submitted:

Sharilyn M. Ryan, Deputy City Clerk
Approved:

**THESE MINUTES ARE NOT OFFICIAL OR A PERMANENT PART OF THE RECORDS
UNTIL APPROVED BY THE CITY COUNCIL AT A FUTURE REGULAR MEETING.**