

MINUTES OF THE REGULAR MEETING PASO ROBLES CITY COUNCIL

Tuesday, March 5, 2002 7:30 PM

CALL TO ORDER – Library/City Hall Conference Center

The City Council of the City of El Paso de Robles, meeting in regular session at 7:30 PM on the above date in the Library/City Hall Conference Center, was called to order by Mayor Frank Mecham.

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL Councilmembers Jim Heggarty, Gary Nemeth, Duane Picanco and Mayor Frank Mecham. Absent: Councilmember George Finigan.

Mayor Mecham expressed sympathies to Councilmember Finigan and his family for the recent death of the Councilman's mother.

PUBLIC COMMENTS

- Mike Menath informed Council of a recent County Board of Supervisor's meeting, wherein representatives of the Housing Trust Fund asked the Board for a \$1.2 million contribution toward affordable housing in the county. Mr. Menath advised Council that Housing Trust Fund presentation materials showed that Paso Robles would also be approached to contribute \$550,000 in funds.
- Walt Heer informed Council that he would not be recovering enough money from his injuries to maintain gainful employment, and provided Council with a letter from his wife in regard to Closed Session Item C.

AGENDA ITEMS TO BE DEFERRED (IF ANY)

The Director of Community Development recommended that Item No. 1 be continued.

PRESENTATIONS - None

NOTICED HEARINGS

1. **Specific Plan Amendment (SP 01-002 – City Initiated in Conjunction with Estrella Associates)**

R. Lata, Community Development Director

To open and continue the public hearing on this item to the City Council's regular meeting of April 2, 2002. (This 3-part amendment relates to: (1) Revision of the improvement standards for a portion of Buena Vista Drive between Experimental Station Road and the north boundary of the Cuesta College North County Campus [initiated by the City]; (2) Re-designation of Clubhouse Drive from Collector to Local Streets status and modification of improvement standards [initiated by Dick Willhoit/Estrella Associates]; and (3) The addition of a new industrial street south of and parallel to Tractor Way, between Golden Hill Road and Oakwood Street - initiated by the City).

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

Councilmember Nemeth, seconded by Councilmember Picanco, moved to continue the Public Hearing to consider a revision to the City's Oak Tree Preservation Ordinance to the Council meeting of April 2, 2002. Motion passed by unanimous voice vote.

2. **2002 Consolidated Plan and Federal HOME and Emergency Shelter Grant (ESG) Programs**

R. Lata, Community Development Director

Conduct a noticed public hearing and make a recommendation to the County Board of Supervisors regarding those activities to be approved for funding with the County's 2002 allotments of Federal Home Investment Partnership Act (HOME) and Emergency Shelter Grant (ESG) funds.

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 Heggarty, moved to adopt Resolution No. 02-37 to support the HOME- and ESG-funded activities listed in the 2002 Draft One-Year Action Plan. Motion passed by the following roll call vote:

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

3. 2002 Community Development Block Grant (CDBG) Program

R. Lata, Community Development Director

Conduct a noticed public hearing and determine which activities are to be approved for funding with the City's 2002 Community Development Block Grant (CDBG) funds.

Mayor Mecham opened the public hearing. Speaking from the public were Pearl Munak (Homeless Housing Project), Dori Lunker (EOC Health Services), Kathy Barnett, Bill Saylor (Boys and Girls Club of North San Luis Obispo County), John Bertoni (Carnegie Library), Bernadette Bernardi (Literacy Council), Gail Gresham (Big Brothers/Big Sisters of SLO County), Steve Martin (PR Main Street Program), and Leora Eide (Boardmember of Boys and Girls Club of North San Luis Obispo County). There being no further comments either written or oral, the public discussion was closed.

Councilmember Picanco, seconded by Councilmember Heggarty, moved to adopt Resolution No. 02-38 to allocate the City's allotment of 2002 CDBG funds as follows. Council also directed that the feasibility study for the Boys & Girls Club project be brought back to Council for review, stipulating that, should the report be unfavorable, the \$20,000 allotment to the Boys & Girls Club is to be returned to the City to be re-allocated for the Municipal Pool Changing Room Building Rehabilitation.

Municipal Pool Changing Room Building Rehab	\$ 59,695
Carnegie Library Disabled Access	\$ 36,350
28th Street Improvements (design phase).....	\$ 20,610
Boys & Girls Club: Design for New Clubhouse	\$ 20,000
EOC's 40 Wonderful Program.....	\$ 2,000
EOC's Senior Health Screening Program.....	\$ 4,000
EOC's Teen Academic Parenting Program	\$ 3,600
Lifestyles' Alcohol & Substance Abuse Counseling	\$ 6,800
UCP's Supporting Childcare Program	\$ 4,000
Literacy Council's Program	\$ 2,500
HHP's Motel Voucher Program	\$ 24,000
Big Brothers/Big Sisters Mentoring Program	\$ 6,000
Downtown Street Lights.....	\$ 15,100
Alley Improvements	\$ 51,000
LED-Lighted Crosswalk	\$ 24,000
Administration (includes Capacity Building).....	\$ 69,900
Total	\$349,555J

Motion passed by the following unanimous roll call vote:

- AYES: Heggarty, Mecham, Nemeth and Mecham
- NOES: None
- ABSTAIN: None
- ABSENT: Finigan

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

DISCUSSION

4. **Creekside Gardens Seniors Apartments – Second Implementation Agreement to Participation Agreement (Peoples' Self-Help Housing Corp.)**

R. Lata, Community Development Director

Consider a Second Implementation Agreement amending the Participation Agreement between the Redevelopment Agency and Peoples' Self-Help Housing Corp. (PSHHC) for Creekside Gardens Senior Apartments. The proposed amendment would allow for \$235,000 of the \$435,000 in Low and Moderate Income Housing (LMIH) funds to be used for site acquisition and the remaining \$200,000 for either on- or off-site improvements. CONTINUED FROM FEBRUARY 19, 2002

Vice Chairman Picanco opened the public hearing. There were no comments from the public, either written or oral, and the public discussion was closed.

Agencymember Mecham, seconded by Agencymember Nemeth, moved to adopt Resolution No. 02-03 approving a Second Implementation Agreement to the Participation Agreement for the Creekside Gardens Seniors Apartments Project. Said Second Implementation Agreement provides that that the \$235,000 in LMIH assistance to be used for site acquisition be in the form of a loan that is forgiven upon commencement of construction of the project, and specifies deadlines to commence construction of the project no later than November 30, 2003 and complete construction within 24 months of its commencement. Motion passed by the following unanimous roll call vote:

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

ADJOURN TO CITY COUNCIL MEETING

CONSENT CALENDAR

Mayor Mecham called for public comments on Consent Calendar items. There were no comments from the public, either written or oral, and the public discussion was closed.

Consent Calendar Items No. 5-11 were unanimously approved on a single motion by Councilmember Heggarty, seconded by Councilmember Picanco, with Item No. 12 being pulled for discussion.

Those items approved were as follows:

5. Approve City Council minutes of February 5 and February 13, 2002.
D. Fansler, City Clerk
6. Approve Warrant Register.
M. Compton, Administrative Services Director
7. Receive and file Advisory Body Committee minutes as follows:
Library Board of Trustees meeting of January 10, 2002
Senior Citizen Advisory Committee meeting of January 14, 2002
Citizens Airport Advisory Committee meeting of January 24, and January 31, 2002

8. Adopt Ordinance No. 823 N.S. adding Chapter 9.42 to the City's Municipal Code that would prohibit swimming and other water sports at Barney Schwartz. (First reading February 19, 2002.)
R. Lata, Community Development Director
9. Adopt Resolution No. 02-39 authorizing the submittal of the funding request form for the recycling block grant and authorizing the Public Works Director to carry out the grant administration. (The City is eligible to apply for a grant of up to \$7,146 for recycling and litter reduction promotion.)
J. Deakin, Public Works Director
10. Adopt Resolution No. 02-40 annexing PD 00-029 into the Landscape and Lighting District. (This proposed development is for a 5,000 square-foot commercial building located on the west side of Ramada Drive across from the new Paris Precision Building. The Planning Commission approved the project with the proviso that the developer would annex certain areas into the Landscape and Lighting Maintenance District. Once construction is complete, this property will be levied annual L&LD assessment fees.)
J. Deakin, Public Works Director.
11. Adopt Resolution No. 02-41 approving a Letter of Consent in favor of Farm Credit West for the property leased to Donald J. Ackerman. (In April 1998 the City entered into a 30-year agricultural lease with Mr. Ackerman. The lease remains in full force and compliance. Section 9 of the lease agreement [Hypothecation] allows for lessee's mortgage of the interest in the leasehold and for the rights of the Lender to assume the lessee interest in the lease in the event of default. Lessee is applying for financing and using the proceeds of the farm crop as security. Letter of Consent has been reviewed by the Deputy City Attorney and has been modified to his satisfaction.)
J. Deakin, Public Works Director.

Pulled for discussion:

12. Reject bids for vehicle and equipment acquisitions and direct staff to re-bid at a future date. (Bids for budgeted vehicles and equipment replacements were opened on December 27, 2001. Many of the City's vehicle needs are included in the State of California's bid. The State's bid prices are often lower than bids submitted solely for the City's needs. Such was the case this year, however, many of the low-bid vehicles are no longer available. After reviewing bids, checking the availability and configuration of vehicles, staff suggests rejecting bids for vehicles at this time and putting the list back out to bid in fiscal year 2003, giving local vendors a new opportunity to bid at that time.)
J. Deakin, Public Works Director.

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

Councilmember Picanco, seconded by Councilmember Heggarty, moved to reject bids for vehicle and equipment acquisitions at this time, direct staff to re-bid the entire vehicle list at a future date, and to report back to Council on March 19, 2002, regarding review of policies and guidelines for vehicle acquisition and the possible formation of an ad hoc committee. Motion passed by the following unanimous roll call vote:

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

At 9:00 PM the City Council took a break, reconvening at 9:10 PM.

PUBLIC DISCUSSION

13. Proposals to Prepare Fiscal Impact Analysis Related to General Plan and New Development Projects

R. Lata, Community Development Director

Consider contracting with David Taussig Associates, the firm recommended by the Council's ad hoc committee, to prepare a Fiscal Impact Analysis in conjunction with the General Plan Update. (Proposals were solicited from 14 firms; two proposals were received and reviewed by the ad hoc committee and City staff. After analysis of the proposals, it was determined that the scope of work proposed by Pacific Group [bid \$38,300] was not suitable to the City's needs. The committee concluded that the proposal by David Taussig & Associates [bid \$79,105] reflected what the City is seeking for both the General Plan Update and developing an analytical tool to evaluate individual development projects.)

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 proceed per the recommendation of the ad hoc committee to select David Taussig & Associates to prepare the Fiscal Impact Analysis model and scope of work related to the update of the City's General Plan; and authorize the City Manager to execute an Agreement based on substantial conformance with the attached Scope of Work and within a budget of \$79,105. Motion passed by the following unanimous roll call vote:

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

14. 13th Street Bridge Project

J. Deakin, Public Works Director

Consider awarding the contract to prepare construction plans, specifications and environmental documents for the 13th Street Bridge Project to URS Greiner. (In early 1999, Council authorized staff to engage the services of URS Greiner, a transportation-engineering firm, to begin preparation of the design of the bridge widening and adjacent streets and on July 18, 2001, Council directed staff to prepare construction documents for the project. The preliminary project budget is estimated at \$13,000,000. URS Greiner will be preparing final plans, specifications, and environmental documents over the next 18 months.)

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 adopt Resolution No. 02-42 directing the City Manager to enter a Consultant Services Agreement with URS Greiner to prepare construction and environmental documents for the 13th Street Bridge Project for a not-to-exceed fee of \$718,965. Motion passed by the following unanimous roll call vote:

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

CITY MANAGER - None

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS - None

COUNCIL COMMENTS

- Councilmember Nemeth inquired about the timing for Council to receive additional City Manager evaluation samples from other agencies that also have responsibility for carrying out this process. City Manager App stated that the City Attorney was preparing a packet for Council that should be completed by the end of May.
- Councilmember Nemeth asked that Council's review of City policies include policies on internal promotions. City Manager App stated that a comprehensive rewrite of all personnel policies, including internal promotions, was currently in preparation and would be to Council with a month to six weeks.
- Councilmember Nemeth inquired whether a ballot question of a change in the Mayor's term of office from two years to four years would be effective with the November 2002 election. City Manager App explained that should the electorate vote to change the Mayor's term of office, it would not go into effect until the 2004 election.
- Councilmember Nemeth expressed his desire to see Centennial Pool made into a more serviceable type of pool that could service the five nearby schools, providing more youth opportunities. It was determined that this matter would be visited in a few weeks when, after receipt of the architect report assessing the Municipal Pool facility deficiencies, staff would be bringing this to Council. City Manager App suggested that, as the City has an adopted conceptual master plan for Sherwood Park that shows a swimming complex, this might be an appropriate time for Council to discuss it's goals for the next ten years, what is to be incorporated in the City's General Plan as part of the vision and goals to accomplish between now and 2025 and how best to deploy City resources to accomplish these goals.

PUBLIC COMMENT ON CLOSED SESSION

There were no comments from the public.

Council moved to adjourn from regular session at 9:25 PM and re-adjourn to Closed Session. Motion passed by unanimous voice vote.

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

The City Council thereupon adjourned to Closed Session in the 2nd floor Large Conference Room at 9:30 PM.

CLOSED SESSION

The City Council returned to Regular Session at 11:10 PM.

RETURN TO OPEN SESSION

CLOSED SESSION REPORT

City Attorney Iris Yang announced that there was no reportable action taken on the items under discussion.

By unanimous voice vote, Council moved to adjourn from regular session at 11:15 PM.

ADJOURNMENT: to THE REGULAR MEETING ON TUESDAY, MARCH 19, 2002, AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

Submitted by:

Sharilyn M. Ryan, Deputy City Clerk
Approved: April 2, 2002