

All persons desiring to speak on agenda items are asked to fill out a ***Speaker Information Card*** and place it at the Staff Table prior to the start of discussion of the agenda item. Each individual speaker will be limited to a presentation total of three (3) minutes per person, per item.

CITY COUNCIL AGENDA

Thursday, January 3, 2002 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)

If applicable, staff to advise Council of any item on agenda that is to be deferred or tabled.

PRESENTATIONS - None

NOTICED HEARINGS

1. Templeton Sewer Line – Reach 2 & 4, Calle Propano, and Life Station No. 2

J. Deakin, Public Works Director

Consider adopting a negative declaration for the Templeton Interceptor Reaches 2 & 4, Calle Propano Sewer Main, and Lift Station No. 2 construction projects.

OPTIONS:

- a. (1) Adopt Resolution No. 02-xxx approving a Negative Declaration for the Templeton Interceptor Upgrade, DPW Project No. 02-xx; and
 - (2) Direct staff to advertise for competitive bids to construct the designed improvements to Lift Station No. 2 and the replacement of Reaches 2 and 4 of the Templeton Interceptor, and the sewerline at Calle Propano.
- b. Amend, modify, or reject the above option.

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

2. Use of Redevelopment Low and Moderate Income Housing Funds to Support CalHome First-Time Homebuyers' Loans

R. Lata, Community Development Director

Consider appropriating an additional \$2,600 in Redevelopment Low and Moderate Income Housing (LMIH) Funds to be used to supplement CalHome funds for loan administration fees for first-time homebuyer's deferred-payment second mortgage loans.

OPTIONS:

- a. Adopt Resolution No. RA 02-xx appropriating \$2,600 in LMIH funds to be used as grants to individual households that qualify for and obtain CalHome loans for the purpose of offsetting a portion of loan administration costs.

ROLL CALL VOTE (REDEVELOPMENT AGENCY)

- b. Introduce for First Reading Ordinance No. XXX N.S. approving an amendment to the fiscal year 2001/2002 budget for the Redevelopment Low and Moderate Income Housing Fund, and set 15 January 2002 as the date for adoption of said Ordinance.

ROLL CALL VOTE (CITY COUNCIL)

- c. Amend, modify or reject the above options.

3. Redevelopment Agency Annual Report

M. Compton, Administrative Services Director

Consider adopting a resolution approving the Redevelopment Agency Annual Report for fiscal year 2001.

OPTIONS:

- a. Adopt Resolution No. RA 02-xx approving the Redevelopment Agency Annual Report.

ROLL CALL VOTE (REDEVELOPMENT AGENCY)

- b. Adopt Resolution No. 02-xxx approving the Redevelopment Agency Annual Report.

ROLL CALL VOTE (CITY COUNCIL)

- c. Amend, modify or reject the above options.

ADJOURN TO CITY COUNCIL MEETING

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 4-12 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

- 4. Approve City Council minutes of October 30, November 6, November 8, November 14, December 4, December 6, December 13, and December 18, 2001.
D. Fansler, City Clerk
- 5. Approve Warrant Register.
M. Compton, Administrative Services Director
- 6. Adopt Ordinance No. XXX N.S. amending amending Sections 14.04.020 and 14.16.020 of the City of El Paso de Robles Municipal Code to adjust sewer and water user fees. (First reading held at December 18, 2001, Council meeting.)
M. Compton, Administrative Services Director
- 7. Adopt Ordinance No. XXX N.S. amending amending the zoning title of the Municipal Code regarding the regulation of commercial storage facilities, vehicle storage and outdoor storage throughout the City (Code Amendment 01-005). (First reading held at December 18, 2001, Council meeting.)
R. Lata, Community Development Director
- 8. Adopt Resolution No. 02-xxx amending the City's adopted Conflict of Interest Code. (The Conflict of Interest Code is being amended to include Fire Inspector, Assistant to the City Manager and Maintenance Services Superintendent, and to delete Streets Superintendent.)
D. Fansler, City Clerk

9. Adopt Resolution No. 02-xxx declaring the intention to reimburse any expenditure advanced for various sewer facility improvements from the proceeds of long-term debt financing. (Resolution No. 01-253 was adopted at the City Council meeting of November 20, 2001, declaring the intention to reimburse expenditures advanced for various sewer facility improvements from the proceeds of long-term debt financing. The resolution stated that Council had already approved the sale of sewer revenue bonds. As Council has not yet authorized the sale of sewer revenue bonds or any other specific long-term financing tool, bond counsel has recommended that this statement be corrected in order to protect the City's ability to reimburse expenditures advanced from the proceeds of any long-term debt financing.)
M. Compton, Administrative Services Manager
10. Adopt Resolution No. 02-xxx authorizing the City Manager to enter Consultant Services Agreements with Cannon Associates for \$89,000 and Morro Group for \$8,660 for final design services for the Thunderbird Waterline. In May 2001 the City Council hired Cannon Associates to perform a Feasibility/Alignment Study and identify environmental issues to construct the proposed pipeline. Their work is now complete and the next phase of the project is to prepare construction documents and obtain environmental clearance from regulatory agencies [Army Corp of Engineers, Fish & Game, and Water Quality Control Board]. The Morro Group contract is to perform the biology assessments and prepare environmental documents for approval. The work of these two firms is necessary to progress on the project.)
J. Deakin, Public Works Director
11. Adopt Resolution No. 02-xxx (1) accepting the public improvements of Tract 2352 into the City's maintenance system, and to authorize the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$19,000; and (2) authorizing issuance of Certificates of Occupancy upon submittal of the as-built improvement drawings. (This is a 9-lot residential subdivision located on the north side of 24th Street, approximately ¼ mile west of Vine Street. It is expected that the public improvements, which the developer was required to install, will have been constructed to the satisfaction of the City prior to the Council meeting. At the time the staff report was prepared, as-built drawings for the public improvements and the parkway landscape improvements had not been submitted. If they are not submitted prior to the Council meeting, it is recommended that acceptance of improvements be allowed to proceed, but that release of the Certificates of Occupancy be withheld until the as-built mylars have been received.)
R. Lata, Community Development Director
12. Adopt Resolution No. 01-xxx accepting the public improvements of Tract 1771-3 into the City's maintenance system, and authorizing the release of Performance and Payment Bonds upon the posting of a Maintenance Bond in the amount of \$127,900. (This subdivision is located north of Charolais Road, approximately ¼ mile east of South River Road. Subdivider has constructed all streets and roads in accordance with the Subdivision Improvement Agreement and in compliance with the improvement plans and all applicable City Standards, with the exception of the parkway irrigation system. It is expected that the system will be installed to the satisfaction of City staff prior to the Council meeting. Should this not occur, it is suggested that this item be continued to a future meeting.)
R. Lata, Community Development Director

ROLL CALL

PUBLIC DISCUSSION

13. **Roadway Design Exception in order to Preserve an Oak Tree along the North Side of Creston Road**

R. Lata, Community Development Manager

Consider modification of a City Engineering Standard allowing for a reduction in the curb-to-curb width of Creston Road, between Ivy Lane and Orchard Drive, in order to preserve a 34-inch diameter oak tree located within the City right-of-way. (An arborist report indicates that subject tree has an 80% condition rating. In order to preserve this tree, according to the recommendations of the arborist, the roadway width will need to be narrowed by approximately 67 feet. Given its two-lane configuration, this does not impact Creston Road at the present time. At such time as Creston Road is expanded to four travel lanes, it will still be possible to preserve the tree and have a four-lane roadway, but with reduced lane widths.)

OPTIONS:

- a. Adopt Resolution No. 02-xxx authorizing a design exception to reduce the width of the pavement section along the north side of Creston Road adjacent 921 Creston Road in order to preserve a 34-inch diameter oak tree; and direct the developer of PD 01-005 to implement and finance all reasonable steps to provide for a safe roadway adjacent this proposed development.
- b. Amend, modify or reject the foregoing option.

14. **Evaluation of Development Issues – Blackburn Area**

R. Lata, Community Development Director

Consider directing staff to circulate a Request for Proposals to prepare an evaluation of traffic circulation, oak tree preservation, and related development issues in the area of Blackburn Street. (Because of the number and scope of pending development projects and the spectrum of long-range planning studies, a thorough evaluation of traffic circulation and oak tree preservation options for the Blackburn area is beyond what can be handled by current staff without impacting other pending matters. As a first step, it is suggested that the City circulate an RFP and determine the cost of preparing a plan. At the same time, staff could explore the range of options for recovering the cost of the study and report back to Council with both the proposals received and funding options.)

OPTIONS:

- a. Direct staff to prepare and circulate a Request for Proposals to provide a comprehensive traffic circulation, development and oak tree preservation plan for the undeveloped portions of the Blackburn Street area, and at the same time to evaluate the options for recovering the City's cost of preparing the plan.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

15. Comprehensive Annual Financial Report

M. Compton, Administrative Services Director

Presentation of the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2001, for City Council consideration.

OPTIONS:

- a. Receive and file the Comprehensive Annual Financial Report for the fiscal year ending June 30, 2001.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

16. City Manager Employment Contract

I. Yang, City Attorney

Consider approving new City Manager employment contract (This contract replaces the original contract, dated August 19, 1997.) CONTINUED FROM THE CITY COUNCIL MEETING OF DECEMBER 18, 2001

OPTIONS:

- a. Approve City Manager Employment Contract and authorize the Mayor to execute the agreement
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER

17. Schedule Citizens Airport Advisory Committee Applicant Interviews/Appointments Date

J. App, City Manager

Select date for conducting interviews and making appointments for vacancies on the Citizens Airport Advisory Committee.

4 vacancies for 2-year staggered terms (2 regular and 2 alternates) -15 applicants

Brian Camsuzou	Richard Kinsey	Clarence Nielson
Wayne Caruthers III	Tim Kopack	William Pope
John Cromwell (incumbent)	Stanley Levanduski	Suzanne Smith
Barbara Hansen-Harris	Martin Meeker (alternate incumbent)	Edward Wetzel
Elizabeth Jordan	Charles Miller (incumbent)	James Wilde

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION

18. **Receive and File Advisory Body Committee Minutes**

Senior Citizen Advisory Committee meeting of October 8, 2001
Library Board of Trustees meeting of October 11 and November 8, 2001
Housing Authority meeting of December 12, 2001

AD HOC COUNCIL BUSINESS

19. **Appointment of Ad Hoc Committee –Urban Water Management**

J. Deakin, Public Works Director

Appoint an ad hoc committee for implementing the 2000 Urban Water Management Plan. (The Urban Water Master Plan is a water management document that provides the City many recommendations regarding such issues as water shortage contingency management and water conservation measures. There are a number of actions to implement, some policy and some project related.)

OPTIONS:

- a. Appoint a two-member ad hoc committee to meet with staff to evaluate options for implementing the 2000 Urban Water Management Plan, and report back to the full City Council by April 30, 2002.
- b. Amend, modify or reject the above option.

VOICE VOTE

20. **Appointment of Ad Hoc Committee –Fiscal Policy Update**

M. Compton, Administrative Services Director

Appoint an ad hoc committee to undertake review of the City's fiscal policy.

OPTIONS:

- a. Appoint a two-member ad hoc committee to meet with City Manager and Director of Administrative Services to review the City's fiscal policy and report back to the full City Council by April 30, 2002.
- b. Amend, modify or reject the above option.

VOICE VOTE

PUBLIC COMMENT ON CLOSED SESSION

Public comments limited to Closed Session items only.

CLOSED SESSION

CALL TO ORDER – Large Conference Room, 2nd Floor

a. Conference with Real Property Negotiator*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 301 Creston Road, Paso Robles (APN 009-410-024)*

Owner/Negotiator: Dianna Lynn West and Craig Warren West

Provide City Negotiator with authority regarding purchase, price, and terms of payment

*RE 13TH STREET BRIDGE WIDENING PROJECT

b. Conference with Real Property Negotiator*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 101 Creston Road, Paso Robles (APN 009-401-018)*

Owner/Negotiator: Walter N. and Donna L. Heer

Provide City Negotiator with authority regarding purchase, price, and terms of payment

*RE 13TH STREET BRIDGE WIDENING PROJECT

c. Conference with Real Property Negotiator*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 1401 N. River Road, Paso Robles (APN 025-501-014)*

Owner/Negotiator: B. W. The Plumbing Company

Provide City Negotiator with authority regarding purchase, price, and terms of payment

*RE 13TH STREET BRIDGE WIDENING PROJECT

d. Conference with Real Property Negotiator*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 149 Creston Road, Paso Robles (APN 009-401-030)*

Owner/Negotiator: John Danner and Lucille Danner

Provide City Negotiator with authority regarding purchase, price, and terms of payment

*RE 13TH STREET BRIDGE WIDENING PROJECT

e. Conference with Real Property Negotiator*

Government Code Section 54956.8

City Negotiator: James L. App, City Manager

Property: 1142 13th Street, Paso Robles (APN 009-051-013)*

Owner/Negotiator: William Jacobson

Provide City Negotiator with authority regarding purchase, price, and terms of payment

*RE 13TH STREET BRIDGE WIDENING PROJECT

f. Conference with Legal Counsel – Anticipated Litigation

Subdivision (b) of Government Code Section 54956.9

Significant exposure to litigation (facts and circumstances not known to adverse party)

Number of cases: One

ADJOURNMENT: to THE LEAGUE OF CALIFORNIA CITIES MAYORS & COUNCIL INSTITUTE WEDNESDAY-FRIDAY, JANUARY 9-11, 2001, AT THE HYATT REGENCY, SACRAMENTO; TO THE REGULAR MEETING ON TUESDAY, JANUARY 15, 2002, AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET.

THE DEADLINE FOR SUBMITTING ITEMS FOR THE NEXT REGULAR COUNCIL MEETING IS JANUARY 4, 2001