

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

Tuesday, March 19, 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. Appeal of Planned Development 99014 Amendment - Public Safety Center Antenna Structure (City-initiated)

R. Lata, Community Development Director

Consider an appeal filed by a member of the Council regarding the Planning Commission decision to approve Amendment to Planned Development 99014 on February 12, 2002. The application was to construct an 80-foot tall antenna structure for the communication antennas and equipment for the Public Safety Center. (The Planning Commission approved the antenna structure at a height of 80 feet tall with ship antennas that would extend up another 20 feet. Their action to approve was with a provision that the tower's use be limited to emergency service related facilities. The appeal was made to bring the item before the Council and Public to discuss alternative sites that were considered prior to choosing the Public Safety Center as the final site.)

OPTIONS:

- a. Deny the Appeal, upholding the Planning Commission's decision to approve Planned Development 99014 Amendment with a communications tower at a maximum height of 80 feet (with whip antennas extending up to 20 feet more in height) subject to the noted standard and site-specific conditions, including the limitation on the use of the tower.
- b. Amend, modify or reject the above option.

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 2-9 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.**

2. Approve City Council minutes of February 19, 2002.
D. Fansler, City Clerk
3. Approve Warrant Register.
M. Compton, Administrative Services Director
4. Receive and file Advisory Body Committee minutes as follows:
Transit Advisory Committee meeting of January 9, 2002
Youth Commission meeting of February 6, 2002
Housing Authority Board meeting of February 12, 2002
Pioneer Museum committee meeting of February 14, 2002

5. Extend ad hoc committee formed on August 21, 2001, to review indemnification clauses in City contracts to June 4, 2002. (The committee has another meeting scheduled for end of May.)
J. Seitz, Deputy City Attorney
6. Adopt Resolution No. 02-xx appropriating \$3,000 for fiscal year 2002 and \$36,000 for fiscal year 2003 to the Barney Schwartz Park Budget No. 100-310-5102-171 for night-time park security. (Due to remote location of the park and valuable assets located there, Council directed staff.)
J. Deakin, Public Works Director
7. Adopt Resolution No. 02-xx approving a budget appropriation in the amount of \$109,200 for the City's solid waste incentive payment to Pacific Waste Services (PWS). (The City has an agreement with PWS for an annual revenue incentive payment based upon total revenues exceeding 4% growth rate. The current operating budget does not contain a budget appropriation for the incentive payment, as the amount of the incentive payment was unknown.)
M. Compton, Administrative Services Director
8. Extend the duration of ad hoc committee formed December 19, 2001, to consider an unsolicited proposal to initiate a solar power generation facility at the City's landfill site to June 30, 2002.
J. Deakin, Public Works Director
9. Extend the duration of ad hoc committee formed January 15, 2002, to consider alternatives and work with the School District to resolve the issues facing the City and the High School re furthering the Niblick Road Improvements Project design to June 30, 2002.
J. Deakin, Public Works Director

ROLL CALL

PUBLIC DISCUSSION

10. **Elected Mayor's Term of Office**

J. App, City Manager

Consider placing a ballot question concerning the elected Mayor's term of office. (Council may place a measure on the ballot asking voters if they wish to have the Mayor serve a two or four year term. Establishment of a term of office for directly elected Mayor requires a majority vote of the electorate. Currently, the office of Mayor is elective for a two-year term.)

OPTIONS:

- a. Determine whether a ballot question regarding the term of office for the elected Mayor should be placed before the voters and provide appropriate direction.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

11. **Approval of Elevations Associated with Airport Terminal Restaurant Addition**

D. Monn, Projects Manager

Review elevations associated with the construction of the Airport Terminal addition. (On February 198, 2002, the Development Review Committee reviewed two sets of roof line elevations associated with the approved restaurant addition. The DRC recommended an arching roofline emulating the existing roofline at the entry of the Terminal.)

OPTIONS:

- a. Approve the arched roof elevations recommended by the Development Review Committee.
- b. Amend, modify or reject the foregoing option.

ROLL CALL VOTE

12. **Barney Schwartz Park Concession Stands Request for Proposals**

G. Perruzzi, Recreation Services Manager

Consider whether Requests for Proposals (RFP) for the operation of concession stands at Barney Schwartz Park should be offered to any organization regardless of profit status. (Barney Schwartz Park is scheduled to open June 8, 2002. Because there is no concessionaire currently under contract, time is of the essence to allow time to send out RFP, receive back, and award a concession contract.)

OPTIONS:

- a. Direct staff to issue Requests for Proposals to any organization regardless of profit status.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

13. **Budget Appropriation – Salinas River Clearing**

J. Deakin, Public Works Director

Consider appropriating funds to help clear vegetative growth in the Salinas River using livestock grazing (goats). (Vegetative growth in the Salinas River is plentiful and clearing of such growth is becoming increasingly constrained due to regulatory restrictions. A test using 200 grazing goats was conducted in autumn 2001, which proved that goats could be effective in clearing vegetation in the river, perhaps even more efficient during the spring and summer. Staff could evaluate the true effectiveness during an extended trial period from April 1-October 31, 2002, using a larger herd.)

OPTIONS:

- a. Adopt Resolution No. 02-xx appropriating \$72,800 in fiscal year 2002 and \$98,400 in fiscal year 2003 (for a total of \$171,200) to the Public Works Streets Budget to use goats to clear vegetation for flood protection in the Salinas River.
- b. Authorize a scaled-down vegetation-clearing project utilizing the grazing goats.
- c. Amend, modify or reject the above options.

ROLL CALL VOTE

14. Replace/Upgrade Waterlines on Palm Court, Shannon Hill Road, and Tanner Drive

J. Deakin, Public Works Director

Consider awarding the construction project contract to replace the Palm Court, Shannon Hill, and Tanner Drive waterlines to the low bidder, D-Kal Engineering of Nipomo.

OPTIONS:

- a. Adopt Resolution No. 02-xx (1) awarding the Palm Court, Shannon Hill, and Tanner waterlines project to D-Kal Engineering in the amount of \$153,121 and (2) appropriating \$85,000 from the Water Capital Fund to the Capital Improvement Project, DPW Project No. 01-12.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

15. 4th Street Underpass Project Study Report

J. Deakin, Public Works Director

Consider awarding a professional services contract to URS Consultants to prepare a Project Study Report (PSR) on the 4th Street Underpass. (URS Consultants is currently preparing a PSR at Highway 101 and 46 West. As they are already working in the City, staff asked them to submit a Scope of Work and Fee Proposal to prepare a PSR for the 4th Street Underpass.)

OPTIONS:

- a. Adopt Resolution No. 02-xx to authorize the City Manager to enter a Consultant Services Agreement with URS Corporation to prepare a Project Study Report for the 4th Street Underpass based on the Attached Scope of Work and a not-to-exceed fee of \$153,542.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

16. Fiscal Policy Revisions

M. Compton, Administrative Services Director

Consider adoption of a resolution approving a revised Fiscal Policy. (The current Fiscal Policy was adopted in 1992. On January 3, 2002, Councilmembers Gary Nemeth and Duane Picanco were appointed to an ad hoc committee to review the Fiscal Policy and make its recommendation for any changes, such as those related to policies, budget format, budgeting practices and reasonable expectations. The review is complete and is being submitted to Council for consideration.)

OPTIONS:

- a. Adopt Resolution No. 02-xx approving a revised Fiscal Policy.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

17. Sale of General Obligation Bonds – Series C

M. Compton, Administrative Services Director

Consider approval of a resolution authorizing the sale of \$8 million par value general obligation bonds. (The City received voter approval, via the passage of Measure D on the June 1998, ballot, to sell \$38 million in general obligation bonds. \$30 million in general obligation capital appreciation bonds were previously sold. The proceeds from this current bond sale will be needed to complete the expansion of the 13th Street Bridge from two to four lanes.)

OPTIONS:

- a. Adopt Resolution No. 02-xx authorizing the sale of \$8 million in general obligation bonds.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

18. GASB 34 Software Licensing Agreement

M. Compton, Administrative Services Director

Consider adoption of a resolution approving a licensing agreement for GASB 34 software. (The Governmental Accounting Standards Board [GASB] has issued Pronouncement No. 34 that requires major changes in the way governmental agencies report the results of financial transactions. One of the major changes is the conversion from fund-segregated statements to governmental wide statements and related “testing” to determine which funds are reportable. Maximum has developed a software package that performs all the necessary testing to determine which funds are reportable and then automatically prepares GASB 34 compliant financial statements.)

OPTIONS:

- a. Adopt Resolution No. 02-xx authorizing the Director of Administrative Services to execute a software licensing agreement for the purchase of MAXRPM, financial reporting software.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CITY MANAGER

19. Housing Authority and Project Area Advisory Committees

J. App, City Manager

Consider re-advertising to fill committee member vacancies for the Housing Authority and Project Area Committee. The application deadline for both committees was February 28th. Advertisements have run in the Tribune News since January, with the following results:

2 applications [1 incumbent) for 1 vacancy - Housing Authority; and

4 applications [2 incumbents] for 5 vacancies – Project Area Committee

OPTIONS:

- a. Advise staff to continue advertising to obtain more applications.
- b. Amend, modify or reject the above option.

ROLL CALL VOTE

CORRESPONDENCE – None

ADVISORY BODY COMMUNICATION - None

AD HOC COUNCIL BUSINESS

20. Airport Restaurant – Ad Hoc Committee

J. Deakin, Public Works Director

Receive an oral report from the ad hoc committee on the Airport Terminal Restaurant Project progress to date and extend duration of committee to May 31, 2002.

OPTIONS:

- a. Receive and file report from the Airport Terminal Restaurant Project ad hoc committee, and set May 31, 2002, as the final report date.
- b. Amend, modify or reject the above options.

ROLL CALL VOTE

21. Bid Process – Ad Hoc Committee

J. Deakin, Public Works Director

Appoint an ad hoc committee to review the City’s bidding process for purchasing fleet vehicles and motorized equipment.

OPTIONS:

- a. Appoint a two-member ad hoc committee to review the City’s bidding process for purchasing fleet vehicles and motorized equipment, and report back to the full City Council by June 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 (Bruce White)

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

*RE 13TH STREET BRIDGE WIDENING PROJECT

d. 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 2002 PLANNERS INSTITUTE, MONTEREY, CA, MARCH 20-22, 2002; AND TO THE REGULAR MEETING ON TUESDAY, APRIL 2, 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 MARCH 22, 2002