

# **CITY COUNCIL AGENDA**

**Tuesday, December 6, 2005 7:30 PM**

**MEETING LOCATION: PASO ROBLES LIBRARY/CITY HALL  
CONFERENCE CENTER, 1000 SPRING STREET**

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**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**

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** - None

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

**ROLL CALL** Agency members Jim Heggarty, Frank Mecham, Duane Picanco, Fred Strong, and Chairman Gary Nemeth

**DISCUSSION**

1. [Supplemental Low and Moderate Income Housing Funds for Oak Park Senior Housing](#)

R. Lata, Community Development Director

Consider a request from the Paso Robles Nonprofit Housing Corp. (PRNPHC) for additional monies from the Low and Moderate Income Housing (LMIH) Funds to assist in the development of Oak Park Senior Housing. (This project is a proposed 40 unit apartment complex for low-income seniors, to be located on the northeast corner of 28<sup>th</sup> and Park Streets. Commitment of funds would be used to guarantee payment of a 10-year deferred-payment loan in the same amount [\$1.2 million] that the PRNPHC has applied for from the California Housing Finance Agency.)

**OPTIONS:**

a. Indicate Agency Housing Funding Priorities for the Next Ten Years by Either:

1. Approving Paso Robles Nonprofit Housing Corp.'s request by adopting Resolution No. RA 05-xx approving a loan of Redevelopment Low and Moderate Income Housing (LMIH) funds to Paso Robles Nonprofit Housing Corp. to assist the development of Oak Park Senior Housing, subject to the terms and conditions set forth below, and subject to execution of an Implementation Agreement amending the Participation Agreement dated January 7, 2003.
  - (1) The total amount of assistance shall be increased from \$520,000 (as approved by Resolution No. RA 03-02) to \$1,752,000.
  - (2) The form of assistance for the full \$1,752,000 shall be in the form of a loan at zero percent interest with all payments deferred for 55 years (the period of the affordability covenant for this project) at which time the principal shall be forgiven, as long as the project has continually operated in conformance with the Affordability Covenant executed pursuant to the Participation Agreement.
  - (3) The purpose of the loan of LMIH funds is to underwrite/guarantee payment of deferred-payment debt financing to be secured by the Paso Robles Nonprofit Housing Corp. from a source such as the California Housing Finance Agency. The loan principal shall be disbursed in 10 years and may be disbursed earlier, as LMIH funds become available, in order that the debt financing may be pre-paid to reduce the amount of any interest due.
  - (4) The Paso Robles Nonprofit Housing Corp shall indemnify the Agency against any claims that could arise if a court of law subsequently ruled that the project was subject to payment of prevailing wages.

- (5) The Implementation Agreement shall amend the Participation Agreement's Schedule of Performance to provide that construction shall be commenced within one year of the date of the resolution and provide that failure to meet the deadline would cause the LMIH funds to become de-obligated and made available for other affordable housing priorities.
  - (6) The Agency Secretary/City Manager shall be authorized to execute the Implementation Agreement on behalf of the Agency within the above conditions and allowing for minor adjustments to the amounts of LMIH funds stated to account for refinements in the estimates of funds available.
2. Deny the Supplemental Funding Request to Preserve Agency Financing Capacity for Future Affordable Multi-Family Housing Projects.
    - 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 2-7 ARE APPROVED BY THE VOTE THAT APPROVES THE CONSENT CALENDAR, UNLESS AN ITEM IS PULLED FOR SEPARATE CONSIDERATION.

2. [Approve City Council minutes of November 1 and 15, 2005](#)  
D. Fansler, City Clerk
3. [Approve Warrant Register: Nos. 58557 – 58687 \(11/10/05\), 58688 – 58849 \(11/18/05\), and 58850 – 58981 \(11/23/05\)](#)  
M. Compton, Administrative Services Director
4. Receive and file Advisory Body Committee minutes as follows:  
[Library Board of Trustees meeting of October 13, 2005](#)  
[Parks & Recreation Advisory Committee meeting of October 11, 2005](#)  
[Senior Citizen Advisory Committee meeting of October 10, 2005](#)  
[Youth Commission meeting of October 5, 2005](#)
5. [Proclamation – Muscular Dystrophy Association Firefighters Appreciation Week – November 14 – 18, 2005](#)  
F. Mecham, Mayor
6. [Read, by title only, and adopt Ordinance No. XXX N.S. adopting fiscal year 2005-06 budget appropriations for the Redevelopment Agency.](#) (The adopted RDA plan requires the annual operating budget be adopted by ordinance rather than by resolution. The budget is identical to the prior year's budget. As in prior years, all unallocated tax increment revenues are dedicated to repay the City for debt service on City Hall/Library.) FIRST READING  
NOVEMBER 15, 2005  
R. Lata, Community Development Director

7. [Adopt Resolution No. 05-xx certifying and adding properties to CFD No. 2005-1 \(Annexation No. 05-010\) and directing the City Clerk to record the Amendment to the Notice of Special Tax Lien; and adopt Resolution No. 05-xx accepting the recordation of Parcel Map PR 05-0088, a residential development and subdivision at 1435 Pine Street, between Park & Pine Street and 14<sup>th</sup> and 15<sup>th</sup> Streets.](#) (Owners of the parcels, Gary Mulholland, has given consent and approval that the property be annexed to CFD No. 2005-1. Owner has agreed and intends that such consent and approval constitutes election to annex to the CFD and approval of the authorization for the levy of the Special Tax within the property. Parcel Map PR 05-0088 was tentatively approved by the Planning Commission in June 2005. All conditions imposed by the Planning Commission have been satisfied.)  
R. Lata, Community Development Director

#### **ROLL CALL VOTE**

#### **DISCUSSION**

8. [Ordinance Pertaining to Residency Restrictions for Certain Sex Offenders](#)  
D. Cassidy, Chief of Police

Consider adopting an ordinance augmenting residence restrictions for certain convicted sex offenders. (Current State law restricts only those sex offenders currently on parole who are convicted of certain crimes from living within a quarter of a mile from certain locations where children congregate. This ordinance would enhance the protection of our children by establishing areas around locations where children regularly congregate that prohibit certain sexual offenders from establishing temporary or permanent residency. It would also require property managers, landlords, and realtors to disclose the existence of the ordinance prior to the commencement of any sale, rental, or leasing transaction.)

#### **OPTIONS:**

- a. Introduce for first reading Ordinance No. XXX N.S. adding a new Chapter 9.46 to Title 9 of the Municipal Code of the City of El Paso de Robles pertaining to residency restrictions for certain sex offenders; and set December 20, 2005, as the date for adoption of said Ordinance.
- b. Amend, modify, or reject the above option.

#### **ROLL CALL VOTE**

9. [2006 Community Development Block Grant \(CDBG\) Program](#)  
R. Lata, Community Development Director

Identify which applications for the City's 2006 Community Development Block Grant funds should be recommended in the Draft Annual Action Plan, and set date for conducting a noticed public hearing to determine which activities are to be approved for funding with the City's 2006 CDBG funds. (Available CDBG funds are estimated to be between \$316,490 and \$383,870. The City has received 18 applications for funds, totaling approximately \$1,174,400. In mid-January 2006, the County will publish a Draft Consolidated Plan, which will list summaries of the activities that are recommended for consideration by the various city councils and Board of Supervisors at public hearings to be held in February and March 2006.)

**OPTIONS:**

- a. (1) Identify the following applications to be listed in the Draft One Year Action Plan as being recommended for funding

Therapy Pool Rehab .....	\$163,676	(to be a multi-year project)
Seismic Mitigation.....	\$ 87,000	(to supplement 2004 funds)
Public Services Activities.....	\$ 57,194	(full 15% of 2006 allocation)
<u>Administration .....</u>	<u>\$ 76,000</u>	
Total.....	\$383,870	

- (2) Set Thursday, March 2, 2006, as the date for the public hearing for 2006 CDBG allocations.

- b. (1) Identify the following applications to be listed in the Draft One Year Action Plan as being recommended for funding

Therapy Pool Rehab .....	\$215,676	(to be a multi-year project)
Seismic Mitigation.....	\$ 35,000	(to supplement 2004 funds)
Public Services Activities.....	\$ 57,194	(full 15% of 2006 allocation)
<u>Administration .....</u>	<u>\$ 76,000</u>	
Total.....	\$383,870	

- (2) Set Thursday, March 2, 2006, as the date for the public hearing for 2006 CDBG allocations.

- c. (1) Identify the following applications to be listed in the Draft One Year Action Plan as being recommended for funding

Therapy Pool Rehab .....	\$165,676	(to be a multi-year project)
Seismic Mitigation.....	\$ 35,000	(to supplement 2004 funds)
Newsracks.....	\$ 50,000	
Public Services Activities.....	\$ 57,194	(full 15% of 2006 allocation)
<u>Administration .....</u>	<u>\$ 76,000</u>	
Total.....	\$383,870	

- (2) Set Thursday, March 2, 2006, as the date for the public hearing for 2006 CDBG allocations.

- d. Amend, modify, or reject the foregoing options.

**ROLL CALL VOTE**

**10. [Creston Road Corridor – Development of a Plan Line](#)**

D. Monn, Interim Public Works Director

Consider expanding the adopted Scope of Work and associated contract with URS Corporation for the Creston Road Corridor Plan Line. (It is proposed that the entire corridor from 13<sup>th</sup> and Riverside to Niblick be included in an amended Scope of Work to produce a more cohesive and relevant plan versus trying to interface multiple plans by different engineers during future construction. The Council ad hoc committee recommends approval of the expanded Scope of Work as presented in the staff report.)

**OPTIONS:**

- a. Authorize staff to expand the current contract for the Creston Road Plan Line with URS Corporation to:
  - 1) Extend the study to Niblick..... Fee: \$18,000
  - 2) Include a feasibility study for a roundabout at Creston/Lana..... Fee: \$35,000
  - 3) Include a feasibility study for a roundabout at Paso Robles/13<sup>th</sup> ..... Fee: \$30,000
  - 4) Include a feasibility study for a roundabout at Riverside/13<sup>th</sup> ..... Fee: \$35,000
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**11. [Municipal Landfill: Property Acquisition – 53 Acres Near the Highway 46E and Union Road Intersection](#)**

D. Monn, Interim Public Works Director

Consider approving the acquisition of four parcels equaling 53 acres abutting the westerly side of the Landfill. (Property consists of four parcels and is under County jurisdiction and zoned Agricultural, which would allow the construction of a single-family residence on each parcel. Residential construction adjacent to the landfill could result in future compatibility issues affecting the operation of the Landfill.)

**OPTIONS:**

- a. (1) Adopt Resolution No. 05-xx authorizing the execution and delivery of a sublease agreement and site lease, and directing certain actions in connection therewith, including authorizing the Director of Administrative Services/City Treasurer to execute any and all documents associated with said financing; and
  - (2) Adopt Resolution No. 05-xx approving budget appropriations for the property acquisition and annual debt service obligation.
- b. Reject the above resolutions and direct staff to withdraw from escrow and not purchase the property.
- c. Amend, modify, or reject the above options.

**ROLL CALL VOTE**

**12. [Contract Services – Chandler Ranch Area Specific Plan](#)**

J. App, City Manager

Consider authorizing contract services agreements related to the Chandler Ranch Area Specific Plan (CRASP) project. One proposal is to hire Heidi Tschudin to assist with negotiation of one or more Development Agreements with property owners and to provide project management services if the project extends beyond April 2006. A second proposal is to enter into a contract services agreement with Bob Lata to provide project management services for Chandler Ranch through April 2006. (The limitation of City staff resources, in terms of time and experience in negotiating these types of agreements, make hiring a

qualified consultant a cost-effective approach that would help keep the CRASP on schedule. The costs of the contract services would be charged to those properties that are seeking to have the City enter into a Development Agreement.)

**OPTIONS:**

- a. Approve the scope of services and hourly rates for Heidi Tschudin and Bob Lata, and authorize the City Manager to enter into contract services agreements, based on the following parameters:
  - (1) Heidi Tschudin's scope of work for negotiating Development Agreements would be as described in the attached Exhibit "A", and paid at the rate of \$150 per hour plus expenses. The Agreement with Ms. Tschudin is subject to the interested property owners providing a written commitment to pay, when invoiced, the time and materials costs of preparing Development Agreements. The invoiced costs would include both contract services from Heidi Tschudin and the City Attorney's work on preparing one or more Development Agreements. The City will invoice the respective property owners on a monthly basis and granting of any development entitlements will be subject to the property owners reimbursing the City in full for expenses related to preparation of Development Agreements.
  - (2) The scope of work for Bob Lata (and for Heidi Tschudin for project management services if the Chandler Ranch Area Specific Plan schedule extends beyond April 2006) would be based on Attachment "B" and would be expenses charged against the Chandler Ranch Area Specific Plan project budget, to be reimbursed, with interest, by the developers of the subject property at the time of issuance of Building Permits. The service contract with Bob Lata would be at the hourly rate of \$140 per hour and, if project management services are needed beyond April 2006, with Heidi Tschudin at the rate of \$150 per hour plus expenses.
- b. Amend, modify, or reject the above options.

**ROLL CALL VOTE**

**13. [Municipal Pool Re-plastering](#)**

D. Monn, Interim Public Works Director

Consider awarding the bid for re-plastering of the Municipal Pool to South Coast Pool Plastering, Inc. and approving the retention of remaining project funds for a future pool tile replacement and repair project. (Bid were solicited and specifications drafted and advertised per the City's Purchasing and Payment Procedures. One bid was received and opened on November 8<sup>th</sup>. Staff deemed the bid responsive.)

**OPTIONS:**

- a. Adopt Resolution No. 05-xx awarding a Municipal Pool Re-plastering contract to South Coast Pool Plastering, Inc. for \$72,000 and authorizing the retention of \$58,000 in remaining project funds for a future tile replacement and repair project.
- b. Amend, modify, or reject the above option.

**ROLL CALL VOTE**

**CITY MANAGER** - None

**CORRESPONDENCE** - None

**ADVISORY BODY COMMUNICATION** - None

**AD HOC COUNCIL BUSINESS**

- 14 . [Ad Hoc Committee Formation – Paso Robles Waste Disposal Rate Increase](#)  
M. Compton, Administrative Services Director

Consider appointing an ad hoc committee to review a solid waste collection rate increase request from Paso Robles Waste Disposal.

**OPTIONS:**

- a. Appoint two Councilmembers to an ad hoc committee to review a solid waste collection rate increase request from Paso Robles Waste Disposal, and report back to the full Council by April 4, 2006.
- b. Amend, modify, or reject the above option.

**VOICE VOTE**

**COUNCIL COMMENTS**

**PUBLIC COMMENT ON CLOSED SESSION**

Public comments limited to Closed Session items only.

**CLOSED SESSION**

**CALL TO ORDER** – Large Conference Room, 2<sup>nd</sup> Floor

- a. **Confer with Labor Negotiator\***

Government Code Section 54957

City Negotiator: James L. App, City Manager

Employee Organizations: Service Employees International Union (S.E.I.U.)

Police Officers Association (P.O.A.)

Unrepresented Management

Paso Robles Professional Firefighters IAFF Local 4148

**ADJOURNMENT:** to **PLANNING COMMISSION & PROJECT AREA COMMITTEE INTERVIEWS** AT 7:00 PM ON WEDNESDAY, DECEMBER 7, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; TO THE **VICTORIAN VINE STREET SHOWCASE** AT 6:00 PM ON SATURDAY, DECEMBER 10, 2005, DOWNTOWN PASO ROBLES; TO THE **REGULAR PLANNING COMMISSION MEETING** AT 7:30 PM AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET; TO THE **13<sup>TH</sup> STREET BRIDGE NEW DECK OPENING** AT 10:00 AM ON THURSDAY, DECEMBER 15, 2005; AND TO THE **REGULAR MEETING** AT 7:30 PM ON TUESDAY, DECEMBER 20, 2005, AT THE LIBRARY/CITY HALL CONFERENCE CENTER, 1000 SPRING STREET

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 DECEMBER 9, 2005***