

Tuesday - April 18, 2000 - 3:00 p.m.

Worksession

Present: Mayor Leni Sitnick, Presiding; Vice-Mayor M. Charles Cloninger; Councilwoman Barbara Field; Councilman Edward C. Hay Jr.; Councilman Brian L. Peterson; Councilwoman Terry M. Whitmire; and Councilman Charles R. Worley; City Attorney Robert W. Oast Jr.; City Manager James L. Westbrook Jr.; and City Clerk Magdalen Burleson

Absent: None

CONSENT:

Auditing Services

Summary: The consideration of a resolution authorizing the Mayor to execute a contract with Crisp Hughes Evans LLP, Certified Public Accountants, for auditing services for Fiscal Year 1999-2000.

N.C. General Statutes 159-34 requires that local governments of North Carolina have their accounts audited each fiscal year and submit a copy of the audit to the Local Government Commission.

In 1998 the City solicited proposals from 36 accounting firms to perform the City's annual audit for the Fiscal Years 1997-98, 1998-99 and 1999-2000. City Council selected Crisp Hughes Evans LLP to conduct the Fiscal Year 1997-98 audit with the option to be re-engaged annually for two more years. They completed both the Fiscal Year 1997-98 and Fiscal Year 1998-99 audit and have now submitted an engagement letter for the Fiscal Year 1999-2000 audit. The fee has been estimated at \$54,700. Funds are appropriated in the budget of the Accounting Division of the Finance Department.

City staff recommends City Council adopt the resolution.

Budget Amendment for French Broad River Park, Phase IV

Summary: The consideration of a budget amendment, in the amount of \$500, to accept a private donation to fund the development of French Broad River Park, Phase IV.

French Broad River Park, Phase IV represents the City of Asheville's next phase of a major greenway and park system being developed along the French Broad River on Amboy Road. The park will include greenways, bicycle facilities, lawn bowling, soccer and softball fields, restrooms, skateboarding and rollerblading facilities, open space, picnic shelter, parking, and perhaps a welcome center. Phase IV will also connect to a planned NC DOT funded greenway from Hominy Creek on the west, and eventually to the Amboy Road greenway to the east.

The Parks and Recreation Department and RiverLink are in partnership to implement an ambitious fundraising plan to raise approximately \$2 million to build the park. Private donations are one of the means to raise funds for the park.

The Parks and Recreation Department recommends the City of Asheville accept the donation on behalf of the Parks and Recreation Department for development of French Broad River Park, Phase IV.

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Grant from Land, Water & Conservation Fund for French Broad River Park, Phase IV

Summary: The consideration of a resolution to apply for and enter into an agreement with the N. C. Department of Environment and Natural Resources, Division of Parks and Recreation in the Land, Water and Conservation Fund to assist with the construction of the French Broad River Park, Phase IV.

French Broad River Park, Phase IV, represents the City of Asheville's next phase of a major greenway and park system being developed along the French Broad River on Amboy Road. The final master plan is complete, and approved by the Parks and Recreation Advisory Board and the Greenway Commission. The park will include greenways, bicycle facilities, lawn bowling, volleyball and soccer complex, softball field, playground, restrooms, roller hockey, open space, picnic shelter, parking, and a welcome center. Phase IV will also connect to a planned NC DOT funded greenway from Hominy Creek on the west, and eventually to the Amboy Road greenway to the east.

The Parks and Recreation Department and RiverLink are in partnership to implement an ambitious fundraising plan to raise approximately \$2 million to build the park. To date, \$50,500 has been raised, and \$520,000 in grant proposals are pending.

The Parks and Recreation Department is requesting \$250,000 to \$300,000 in grant funds from the Land, Water and Conservation Fund which requires a 50% cash or in-kind match. The in-kind match is available in land value, labor, equipment, and project management through Parks and Recreation.

The Parks and Recreation Department recommends the City of Asheville apply for and enter into an agreement for grant funds with the N. C. Department of Environment and Natural Resources, Division of Parks and Recreation, through the Land, Water and Conservation Fund to assist with the construction of the French Broad River Park, Phase IV.

Two Police Department Grant Applications

Summary: The consideration of two resolutions authorizing the City Manager to submit full applications and accept two grant awards from the N. C. Department of Crime Control and Public Safety, Division of the Governor's Crime Commission, in support of a community policing GIS project; and a second grant in support of a social work and police partnership project.

The Governor's Crime Commission has invited the City of Asheville to submit a grant application in the amount of \$63,465 in support of a one year Community Policing Geographic Information System Project outlined in the pre-application reviewed by the Commission. A local match of \$21,155 is required. The local match will be budgeted in the Fiscal Year 2000-01 Annual Operating Budget. The purpose of this project is to enable consolidation most of the City's geographic information systems data and coordinate its application in support of Community Oriented Governing.

The Governor's Crime Commission has also invited an application in the amount of \$85,950, covering two years, in support of a Social Work and Police Partnership project (SWAPP), as outlined in the pre-application reviewed by the Commission. A local match of \$28,650 is required for each of two (2) consecutive years over the 2 year life of the project. The local match will be budgeted in the Fiscal Year 2000-01 and 2001-02 Annual Operating Budget. The purpose of this project is to reduce family violence issues contributing to chronic juvenile run-away behavior.

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City staff recommends City Council adopt two resolutions authorizing the City Manager to submit grant applications and if awarded, acceptance of grants, to the N. C. Department of Crime Control and Public Safety, Governor's Crime Commission, (1) in support of a community policing GIS Project; and (2) in support of a social work and police partnership project.

New Street Name Approval – Barrett Lane

Summary: The consideration of a resolution accepting the new proposed street name "Barrett Lane."

Givens Estates, Inc., owner of lots in Givens Estates United Methodist

Retirement Community, has petitioned the City of Asheville to accept the street

name of "Barrett Lane." This new street is to begin at Wesley Drive and end at the dead-end.

Staff recommends adoption of the resolution.

New Street Name Approval – Westwind Lane

Summary: The consideration of a resolution accepting the new proposed street name "Westwind Lane."

AGR Real Property Investors, LLC., owner of lots in the Westwind Subdivision, has petitioned the City of Asheville to accept the street name of "Westwind Lane." This new street will begin at Maple Avenue and end at the dead-end.

Staff recommends adoption of the resolution.

Brevard Road Annexation Area Phase II – Contract "B" Sanitary Sewer Improvements Bid Award

Summary: The consideration of a resolution awarding the contract for Brevard Road Annexation Area Phase II Contract "B" to Buckeye Construction Company, Inc., in the amount of \$270,258.42.

This project is part of the Brevard Road Annexation Area Sanitary Sewer System Improvements and consists of the installation of approximately 1,703 linear feet of twelve inch (12") diameter sanitary sewer line and 1,471 linear feet of eight inch (8") diameter sanitary sewer line and related appurtenances.

The Engineering Department received and publicly opened five (5) bids on Tuesday, April 4, 2000, at 2:00 p.m. After a thorough review of the bid documents by the Engineering Department and the Office of Minority Affairs, Buckeye Construction Company, Inc., was found to be the lowest responsible bidder with a total bid of \$270,258.42. The Engineer's estimate for this project was \$ 379,630.00.

Buckeye Construction Company, Inc., has performed several projects of this nature in the past without any major problems.

The construction time for this project is identified as 120 calendar days in the contract documents. The contractor will be required to pay the sum of \$250.00 as liquidated damages for each and every calendar day that he shall be in default after the time stipulated in the contract.

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Staff recommends that City Council accept a resolution awarding the bid for Brevard Road Annexation Area - Phase II - Contract "B" Sewer System Improvements to Buckeye Construction Company, Inc., the responsible low bidder and authorize the City Manager to execute all necessary agreements and contracts.

Mayor Sitnick asked that the record show that City Council has received this information and instructs the City Manager to place these items on the next formal City Council agenda.

Edward- vision board and I accepted on behalf of city a plaque recognizing our contributions to vision for 99.

2000 VISION BENCHMARK

Councilman Hay accepted, on behalf of the City of Asheville, a plaque from the Asheville-Buncombe VISION, Inc., which honored the City of Asheville for their significant commitment to the future of Asheville-Buncombe County in 1999-2000. He presented Mayor Sitnick with the plaque.

Mr. Robert Burgin, representing the Asheville-Buncombe VISION Board of Directors, reviewed with Council how the shared VISION was developed and updated Council on the status of the benchmarks. He stressed that the benchmarks will always be a work in progress as they refine data and discover better ways to measure results toward achieving this VISION.

Upon inquiry of Councilwoman Whitmire, Mr. Burgin said that they will continue to look for a measurable benchmark for substance abuse.

On behalf of City Council, Mayor Sitnick thanked the VISION Board of Directors and all their supporters for their significant commitment to Asheville's future.

FUNDING REQUEST BY REGIONAL WATER AUTHORITY OF ASHEVILLE, BUNCOMBE AND HENDERSON

Mr. John Tate, Chair of the Regional Water Authority of Asheville, Buncombe and Henderson requested a commitment of \$13,000 from the City of Asheville to match funds promised by Henderson and Buncombe counties and the City of Hendersonville. These funds are part of a \$65,000 commitment from the Cross Creek Foundation which commitment is contingent on an equal match (dollar for dollar) for funding from local governments.

The N.C. Clean Water Management Trust Fund awarded grants to the Mills River Partnership in 1999 for up to \$730,000 resulting in the execution of the following two grant agreements: (1) \$541,000 to the Regional Water Authority to construct agrichemical handling facilities, buffer restoration, stream bank stabilization, erosion control in the National Forest, and long term strategic planning for Mills River watershed protection; and (2) \$189,000 to the Carolina Mountain Land Conservancy for buffer preservation.

The Regional Water Authority is a member of the Mills River Partnership. The Partnership had developed a management strategy when the grant application was prepared which provided that the Regional Water Authority would be the overall grant administrator and would contract with the Henderson Soil and Water Conservation District (HSWCD) and the U.S. Natural Resources Conservation Service (NRSC) for local administration of specific elements of the agrichemical handling facilities, buffer restoration, and stream bank stabilization projects. The HSWCD would perform these functions through NRSC engineers and a Soil Conservationist hired with proceeds from the Trust Fund Grant. When the Clean Water Management Trust Fund

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awarded the Grant, they omitted funding for the Soil Conservationist, which required the Mills River Partnership to alter its strategy for implementing the grant projects.

The HSWCD estimates that funding of a Soil Conservationist for two years is necessary to insure the complete administration of the grant projects they are responsible for and to insure the successful applicant has the skills to perform the work. A two year budget for this position has been estimated at \$100,000, none of which can be funded by the Clean Water Management Trust Fund proceeds.

The Carolina Mountain Land Conservancy has secured a commitment from the Cross Creek Foundation to provide an equal match (dollar for dollar) to any new funding preferably from local governments for this Soil

Conservationist position. The Foundation has set a deadline of June 30, 2000. The Carolina Mountain Land Conservancy has obtained a %16,000 commitment from the City of Hendersonville, and an \$8,000 commitment from Henderson County. An additional \$26,000 is needed to raise a total of \$50,000 from local governments, which could then be matched by \$50,000 from the Foundation to fund the position for two years. He has been advised that Buncombe County has agreed to fund \$13,000 of the \$26,000 if the City of Asheville agrees to fund an equal amount.

Due to conservation measures during the period of the drought last year, the revenues of the Regional Water Authority are down and our costs are increased based upon rising fuel prices, increase costs during the drought, and significant unfunded mandates in the form of, among others, reimbursement to the N. C. Dept. of Transportation for non-betterment costs. Our Water Fund budget is extremely tight and they were forced in the 1999-2000 fiscal year to significantly reduce their efforts at continuing repair of the aged water system.

He requested the City of Asheville match the contribution of Buncombe County in the amount of \$13,000 to help fund the Soil Conservationist position.

Councilman Worley strongly supported this request.

Upon inquiry of Vice-Mayor Cloninger, City Manager Westbrook said that the City would have to do a budget amendment to transfer the funds from the Contingency Fund to the Water Fund.

Councilwoman Field was troubled that when Buncombe County is asked for a match, that they base their decision on whether the City of Asheville agrees to fund an equal amount. She felt there should be a more fair balance when requests go to the City and County in matches.

Mayor Sitnick voiced several concerns, some being, but are not limited to, polluters should be responsible for cleaning up their own pollutants, City taking money from Contingency and transferring it to the Regional Water Authority, and general dissatisfaction with the Water Agreement. She said that she would talk with Mr. Tate and Councilman Worley (former Chair of the Regional Water Authority) to discuss her concerns with regard to this matter.

Mayor Sitnick asked that the record show that City Council has received this information and instructs the City Manager to place this item on the next formal City Council agenda, along with a resolution authorizing the City Manager to execute an agreement with the Regional Water Authority for the funding of the Soil Conservationist position.

CONSOLIDATED HOUSING AND COMMUNITY DEVELOPMENT PLAN

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Ms. Charlotte Caplan, Community Development Director, said that the Consolidated Plan is the City's plan for using federal Community Development Block Grant (CDBG) and Home Partnerships Act (HOME) program funds. It is in two parts. One document is the Strategic Plan which is prepared once every five years, which explores needs, priorities, strategies and objectives for the programs for 2000-2005. The other document is the Action Plan, prepared annually, which details the proposed use of funds for specific projects in 2000-2001.

Notices of the availability of the draft plans for public comment, with the date of the public hearing, were published on April 7, 2000. A formal notice of the public hearing date will be published on April 14 and 21.

After the public hearing, the formal public comment period remains open until May 7, 2000. On May 9, 2000, City Council will be asked to give final approval to both plans, amended as necessary. The deadline for submitting the Plans to HUD is May 12, 2000.

Ms. Caplan explained how they approached the strategic plan, the key priorities, affordable housing strategies, and affordable housing targets (185 CDBG or HOME assisted units a year, reduce LBP hazards in 40 units a year, and screen 25% of young children annually for lead poisoning). She stressed that our community, our children, our parents and our workers need affordable housing as homeowners and as renters.

Ms. Caplan then addressed affordable housing targets, homelessness and non-housing community development.

She said that the Action Plan for 2000/01 (1) allocates \$3,700,000 CDBG and HOME for next year; (2) Strategic Plan priorities used to evaluate proposals; (3) new CDBG programs include: EMSCD "You Stand" and Property Redevelopment, NHS Sycamore Hollow, City-wide down-payment assistance, Brotherton site development, and relocation; and (4) several projects depend on Biltmore Avenue property sale.

Councilwoman Field felt there may be a need for another worksession on the lead based paint issue because it does affect economic development and we need some sort of commitment. She felt we also need to look at our Unified Development Ordinance (UDO) in terms of multi-family housing and if it is making it more difficult to site affordable housing.

Mayor Sitnick felt that Council should look at a policy that deals with living wages.

It was the consensus of City Council for Councilwoman Field, as Chair of the Housing and Community Development Committee, to write a letter to the Buncombe County Commissioners requesting them to waive the dumping fees for demolitions done by non-profits who will provide affordable housing on those site where the demolition occurs.

Councilman Hay noted that there are some strategies to amend some provisions in the UDO which will need to be reviewed, but not necessarily changed.

It was the consensus of Council to have the Housing and Community Development Committee carefully review the lead based paint issue and then report back to City Council. Councilwoman Whitmire asked to be included in the meeting that looks at this issue in detail.

Mayor Sitnick said that a public hearing will be held on April 25, 2000, to receive comments and questions on the draft Consolidated Housing and Community Development Plan.

FUNDING OF HOUSING TRUST FUND

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Ms. Joyce Harrison, Co-Chair for the Asheville-Buncombe Task Force, asked City Council to support a resolution for a Housing Trust Fund which will be a revolving pool of investment – local, flexible, and accountable to the people – for creating attractive, affordable homes and preserving existing homes in Asheville and Buncombe County.

Ms. Harrison requested the City dedicate annually the local revenue equivalent of one cent per hundred dollars of property tax value (approximately \$370,000). She noted that by designing a program of loans, not grants, with favorable terms of payment, those who could not afford a home will be able to pay a monthly rent or house payment.

Community Development Director Charlotte Caplan responded to several questions from Council regarding how the Fund would be built, what other cities are doing, how the structure would be in place for a bond

referendum in the future, and if there are monies in the Section 108 rehabilitation loan program.

Councilwoman Field was supportive of this Fund but noted that City Council cannot bind future councils for this revenue stream. She also noted that Buncombe County is very committed and supportive of this, however, this is an election year in the County and it's unlikely that they will raise taxes. Therefore, she suggested starting with the City and then look to the County next year for participation.

Mayor Sitnick said that if the City is going to take the leadership role, the community will have to be willing to take steps as well.

Councilwoman Whitmire spoke in support of this Trust Fund.

City Council asked City staff to investigate on how this has worked in other communities and exactly how it can work in Asheville.

UPDATE ON UDO AMENDMENT REVIEW OF CHARLOTTE STREET TRANSITION OVERLAY DISTRICT

Mr. Mike Matteson, Director of City Development, reviewed some recommended ordinance revisions regarding the Charlotte Street Overlay District, as a result of concerns raised at the March 21, 2000, worksession.

Mayor Sitnick noted that this public hearing will be on April 25, 2000.

FRENCH BROAD RIVER PHASE IV MASTER PLAN

Mr. Alan Glines, Park Planner, said that this is the consideration of a resolution authorizing City Council to adopt the French Broad River Park Phase IV Master Plan and authority to implement the Plan as funds become available.

The Parks and Recreation Department began a public process in the fall of 1999 to develop a master plan for the new park. The department hired the services of W. K. Dickson Inc. to help develop the plans. A community advisory group was formed to guide the planning process which represents broad community interests. After several meetings with the advisory group and a public planning workshop held in November of 1999, the master plan was developed incorporating many of the diverse interests of the community.

The master plan includes several first time events and features in the Asheville park system. These elements include lawn bowling, roller hockey, a volleyball complex area, adaptive re-use of the race track for bicycle riding and racing, in-line skating and walking. The

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master plan will also include greenway trails, a children's playground, an open meadow, a wetlands boardwalk, fishing areas, a volleyball and soccer complex, a park office and support facilities. Several grants have been written to help fund the park master plan which include a Parks and Recreation Trust Fund Grant, a Janirve Grant, and a Pigeon River Fund Grant. Decisions on the grants have not been finalized at this time.

The project master plan was reviewed at a public forum in March of 2000 and was overwhelmingly approved by the community present. The plan has also been reviewed and approved by the Parks and Recreation Advisory Board and the Asheville Greenway Commission.

The Parks and Recreation Department staff is seeking City Council approval of the master plan and the approval to proceed with implementing the plan as funding is secured.

Mr. Glines showed some components of the master plan. We are looking to dispose of some property (bleachers) sometime next month and we can start working on volleyball areas right away for play this summer. We will also be developing a historical component for racing community.

Mayor Sitnick noted again that the sale of the City was a corporate sale that had nothing to do with the City of Asheville.

Upon inquiry of Councilman Peterson, Mr. Glines said that the bleachers are being removed because they do not comply with the State Building Code anymore.

Mayor Sitnick asked that the record show that City Council has received this information and instructs the City Manager to place this item on the next formal City Council agenda.

LENGTH OF CITY COUNCIL MEETINGS

City Manager Jim Westbrook said that this report contains a list of suggestions from staff for Council to consider which could reduce the length of Council meetings. After review and upon further direction from Council, staff will implement any changes as directed.

Recently City Council requested that staff bring suggestions to Council, which, if implemented, would shorten the length of Council meetings. The City Manager, the City Attorney, the City Clerk, the Assistant City Manager, the Planning and Development Director, and the Public and Community Information Coordinator met to brainstorm and review previous Council meetings in order to provide a list of suggestions that would be helpful in shortening the meetings. The following information is the result of the brainstorming session and an attempt to provide Council with a wide range of suggestions from which to pick and choose the ones thought to be most effective. For the purpose of clarity, I have broken down the suggestions into categories.

A. DEVELOPMENT PROCESS

1. Have Most Level III Development Projects Approved by TRC, Not City Council

Currently, all Level III development proposals are conditional use permits (CUPs) under the UDO. These projects range from larger multifamily and office projects to "big box" retail projects that have supplemental review standards (like the newly approved Home Depot.) In many cases, Council review does not add conditions above and beyond what is required by the UDO. Most public interest seems to involve the big box developments like Home Depot and the Asheville Mall, where supplemental standards would be established through staff recommendation and

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Council approval of conditions. Level III developments not subject to supplemental standards could be approved administratively (by the TRC) and not sent to Council as CUPs. This would allow Council to concentrate on projects where design related conditions have real impacts on surrounding neighborhoods and the community at large. It is possible to adjust this option by allowing the applicant or other interested party to appeal the TRC decision to the Planning and Zoning Commission or City Council; the appeal option would provide an incentive for the developer to satisfy concerns in order to avoid an added step in the development review process.

2. Administrative Approval for Duplexes, Triplexes and Quadraplexes in Single Family Zones

The UDO allows for duplex, triplex and quadraplex projects in single family zones only upon approval of a conditional use permit by City Council. Staff recommends moving these uses to an administrative approval process, with specific standards for these uses provided in the City Code. We have a text amendment under

development that will accomplish this; we plan on bringing it to Council later in the spring after review by the Planning and Zoning Commission.

3. Delegation of Conditional Use Permit Approval Duties, in Whole or in Part, to the Planning and Zoning Commission

The City Council could utilize the Planning and Zoning Commission to approve CUPs or make recommendations to Council on CUPs. There are several alternatives for involving the Planning and Zoning Commission in this fashion. All of these alternatives would add to the workload of the Commission, but all have the potential to streamline and/or improve the quality of the development approval process.

- o Council could delegate approval of all CUPs to the Planning and Zoning Commission. This alternative would reduce the Council's workload.
- o Council could delegate approval of certain CUPs to the Planning and Zoning Commission. Some current CUPs do not have the same level of value to the community added by a Council review process (see suggestion #1 above).
- o Council could request a recommendation on all CUPs from the Planning and Zoning Commission, just as is done for rezoning requests. This alternative would allow most community issues to be identified prior to Council consideration, enhancing the potential for a "negotiated settlement" before the proposal reaches Council, thereby reducing the time spent at City Council identifying conditions that are needed to mitigate project impacts.

4. Establish Standards for Developer Presentations

Presentations by developers often lengthen the public hearing process due to the materials that are presented and the format of these materials. Council could establish specific standards for developer presentations that could become part of our application process. Such standards might include submittal of audio-visual materials in a consistent format (e.g., transparencies), pre-meeting submittal of handouts and other information, and similar requirements. We would recommend that these standards have some flexibility in order to allow for exceptional cases, but such standards could help organize the flow of developer presentations in a positive way.

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5. Discuss Upcoming Public Hearings at Worksession

Currently all public hearings for rezonings and conditional use permits are considered for the first time at formal Council meetings. In an attempt to shorten the formal Council meeting, Council could receive staff input for public hearings at worksessions. At formal Council meetings, staff would only present short explanations of controversial items, and then Council would hear from the public. If Council should choose to implement this process, it is imperative that the public not be allowed to comment at worksessions when staff makes presentations for upcoming public hearings. While this may have the effect of shortening formal Council meetings, it would also have the effect of lengthening Council worksessions.

6. Setting Public Hearing Dates

Currently all public hearings are set by City Council. These usually appear on the consent agenda. While they usually receive no public or Council comment, they do appear to make the agenda longer than it actually is, and it lengthens the process for final action by including a legally unnecessary step. General Statutes require public hearings on certain issues discussed by Council; however, the General Statute does not require Council to set the public hearing. As an alternative, Council could authorize staff to set public

hearings as appropriate without having that action approved by Council. On a weekly basis, the City Clerk could furnish Council with a list of public hearings and the dates set for each.

NOTE: The Planning and Zoning Commission has also discussed several of these streamlining ideas. They suggest making most Level III plans subject to TRC review only and having Planning and Zoning make recommendations on CUPs but no approval authority.

B. MEETING PROCEDURES

1. Reading of Proclamations

Currently the practice of reading proclamations at the beginning of Council meetings does consume time. In the past it has taken as long as 30 to 40 minutes at the beginning of Council meetings to read proclamations. As an alternative, Council could simply present proclamations without reading them word for word with a brief thanks from Council for the specific group or person for whom the proclamation is made. A corollary to this suggestion would be to eliminate "acceptance speeches" by the organizations/persons being recognized.

2. Starting Time

The following are points for Council to consider regarding time management. These points will become important when Council meetings are televised live.

- o Start the meetings on time.
- o Recess for a specific amount of time and resume the meeting promptly when that time has expired.
- o When speakers are given three or ten minutes to comment on issues, strictly adhere to the time limits established. Questions and discussion by Council Members could be entertained following the public input on issues. Appropriate allowance should be made for quasi-judicial hearings.

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3. Length of Meetings

Amend the Council rules to set a time limit for formal Council meetings of 9:00 P.M. Once that time is reached, Council would need to vote to extend the meeting beyond the 9:00 P.M. time or to continue the meeting to the next day or some other time certain.

4. Signing Up for Public Comment

Currently anyone in the Council Chamber can speak during the meeting on any item on or off the agenda. Council could require citizens who want to speak at public hearings to sign up with the City Clerk anytime prior to a Council meeting, but no later than 30 minutes prior. This is practiced in many cities, and staff could do further research on this issue if Council wishes to pursue it. The City Clerk would have the list prepared and the Mayor would call the interested parties forward for each item of the public hearing portion of the agenda. Again, appropriate allowance may be required for some quasi-judicial public hearings.

5. Removing Items From Consent Agenda

Council rules currently state that the public can pull items off the consent agenda. Items on the consent agenda have usually been discussed at a worksession or are routine reports. The public infrequently pulls items off the consent agenda. If the public wishes to discuss an item on the consent agenda, if Council

establishes rules requiring them to sign up to speak at the worksession or formal meeting no later than 30 minutes prior to the beginning of the meeting, this would be eliminated. (See Item 4 above.)

6. Change Beginning Time of Formal Council Meetings to 4:00 P.M.

Start formal Council meetings at 4:00 P.M. and rearrange the agenda so that proclamations, other business, unfinished business, and new business as the first items on the agenda, with public hearings and informal discussion and public comment being the last items on the agenda. This would insure that most public hearings would start around 5:00 P.M. or later for the public's convenience.

7. Introductory Paragraphs

In order to announce the Council rules established for the meeting, the Mayor could read the following paragraphs of information/instruction to the public prior to portions of the agenda or meeting as follows:

To Be Read Before Worksession Begins: (Draft)

This is a City Council worksession. It is designed to be informal to allow Council to become familiar with and understand issues on which we may take formal action at a formal Council meeting. Most of the issues we discuss today will appear on the agenda at the next formal Council meeting, and at that time we will officially vote on the issue. Any consensus we reach today, or informal votes we take, reflect only that the Council understands the issue and is ready to place it on the regular agenda. If we discuss issues that will be heard at a future public hearing, we will not accept public comment on that issue today, in order to have everyone heard at the public hearing. Any member of the public who has a direct interest in any of the issues we discuss today may be allowed to speak on that issue at the sole discretion of City Council.

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To Be Read at Public Hearings as Part of the Agenda: (Draft)

This is the time and date set for public hearings. At this point I would like to remind everyone of the City Council rules for public hearings. The purpose of the public hearing is to receive the public's input on decisions about to be made by the City Council. When you are recognized, please come to the podium and speak directly into the microphone, giving your name and address for the record. These proceedings are being recorded, and that information is important. If you are speaking as an individual, you have up to three minutes to relate to the Council your point of view on the issue. If you represent a group, you have up to ten minutes to relate to the Council the point of view of the group. The Council is interested in all new, relevant information on the subject matter. Please refrain from repeating information given by previous participants. Also, please refrain from discussing issues, which are not the subject of the public hearing. The Council will receive written information from an individual or group that cannot conclude their presentation within the designated time limitation.

To Be Read Before "Informal Discussion and Public Comment": (Draft)

The next item on the agenda is "Informal Discussion and Public Comment." This section of the agenda is usually reserved for informal discussion between Council Members and staff. This portion of the agenda is also used to allow the public to discuss an issue or problem with Council. If a member of the audience would like to bring an issue to the Council, please come to the podium when recognized and speak directly into the microphone, giving your name and address. You will have a maximum of three minutes to discuss that issue with the Council. The Council does not normally make decisions during this time, but would refer any issues raised to the staff for a recommendation. The Council will receive written information from an individual or group that cannot conclude their presentation within the designated time limitation.

To Be Read Prior to Conditional Use Permits

This is a quasi-judicial public hearing, and we are required to observe certain procedures in order to insure that due process requirements are met. We will hear first from the City's staff, then the applicant will be allowed to make its presentation to Council. After that, anyone interested may comment on the application, or ask questions of the staff or applicant. If you speak, you must be sworn in, and the applicant has the right to ask questions of you. Please try to keep your comments on point and do not be repetitive. Written or documentary material that is offered as evidence may be examined by any other party.

C. STAFF CHANGES
