



council agenda
CITY OF SAN LUIS OBISPO
CITY HALL, 990 PALM STREET

Tuesday, January 7, 2003

3:00 P.M.

REGULAR MEETING

**Council Chamber
990 Palm Street**

NOTE EARLY START TIME

CALL TO ORDER: Mayor Dave Romero

PLEDGE OF ALLEGIANCE

ROLL CALL: Council Members John Ewan, Ken Schwartz,
Allen K. Settle, Vice Mayor Christine Mulholland,
Mayor Dave Romero

3:00 P.M.

PRESENTATION

POLICE CHIEF OATH OF OFFICE. (PRICE/HAMPIAN – 15 MINUTES)

CONSENT AGENDA

The Consent Agenda is approved on one motion. Council Members may pull consent items to be considered after Business items.

C1. MINUTES OF TUESDAY, DECEMBER 10, 2002 AND TUESDAY, DECEMBER 17, 2002. (PRICE)

RECOMMENDATION: Waive oral reading and approve as presented.



City Council regular meetings are broadcast live on KCPR, 91.3 FM and Charter Channel 20. The City of San Luis Obispo is committed to include the disabled in all of its services, programs, and activities. Telecommunications Device for the Deaf (805) 781-7410. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. For more agenda information, call 781-7103.

CITY COUNCIL PROCEDURES FOR PUBLIC HEARINGS: The Mayor will announce each item and thereafter, the hearing will be conducted as follows:

1. City staff will present the staff report and recommendation on the proposal being heard and respond to questions from Council.
2. The Mayor will open the public hearing by first asking the project applicant/appellant (or his/her representative) to present any points necessary for the Council, as well as the public, to fully understand the proposal.
3. The Mayor will then ask other interested persons to come to the podium to present testimony either in support of or in opposition to the proposal.
4. Finally, the Mayor will invite the applicant/appellant (or his/her representative) back to the podium to respond to the public testimony, if appropriate. The Mayor will then close the public hearing and limit further discussion to the Council and staff prior to the Council taking a vote.

RULES FOR PRESENTING TESTIMONY AT A PUBLIC HEARING: City Council meetings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present testimony are asked to observe the following rules:

1. Speakers are asked to submit speaker slips to the City Clerk.
2. If you have filled out a Speaker Slip, the Mayor will call you to the podium.
3. Speakers shall address the Council from the podium after giving his/her name and city of residence. Speakers shall direct their comments to the Council, not the audience.
4. Speakers shall limit comments to three minutes. The Mayor, after all others have spoken, may allow additional brief comments from speakers who have already commented on the same agenda item.
5. If testifying as paid representatives, as defined in the Municipal Code speakers shall register as a Municipal Advocate and shall preface their comments by identifying themselves as Municipal Advocates (§2.64.020 & §2.64.050 & §2.64.070).
6. Applicants, appellants or applicant representatives desiring to speak shall:
 - a. Submit speaker slips to the City Clerk (available on a plastic rack at the entrance to the Council Chamber).
 - b. Shall be permitted to speak first during the public comment portion of the public hearing for not more than ten minutes.
 - c. Address the Council from the podium after giving their name and address, and/or the name and address of the applicant/appellant they are representing. If the applicant/appellant's representative is a paid Municipal Advocate, they shall comply with Number 5 above.
7. If you challenge an issue in court, you may be limited to raising only those issue you or someone else raised at this public hearing as described above, or in written correspondence delivered to the City before or during the public hearing.

COUNCIL CORRESPONDENCE: Written comments on agenda items are encouraged and are most effective if presented at least five days prior to the meeting. Council Correspondence regarding agenda items received after 5:00 p.m. on the day of the Council meeting will be distributed the following day.

C2. RESOLUTION OF SUPPORT FOR ALLOCATION OF PROPOSITION 50 FUNDS FOR SAN LUIS OBISPO COUNTY. (GEORGE/HAVLIK)

RECOMMENDATION: 1) Adopt a resolution supporting the allocation of between \$15 and \$18 million to San Luis Obispo County from Proposition 50 bond proceeds; and 2) authorize staff to forward this resolution to the offices of Assemblyman Maldonado and Senator McPherson.

C3. WATER REUSE PROJECT – AMEND DESIGN SERVICES CONTRACT.
(MOSS/PIERCE)

RECOMMENDATION: 1) Approve an addendum in the amount of \$45,113 to the agreement with Brown and Caldwell for design of the Water Reuse Project. 2) Appropriate \$45,000 from the Water Fund unreserved working capital to the Water Reuse Project CIP Design account.

C4. LAGUNA LIFT STATION AND FORCE MAIN UPGRADE CHANGE ORDER, SPECIFICATION NO. 90006. (MOSS/HIX)

RECOMMENDATION: 1) Approve the change order for \$61,200 for changes to the Laguna Lift Station and Force Main Upgrade. 2) Authorize the City Administrative Officer to execute the change order.

C5. FINANCING FOR THE ENERGY CONSERVATION PROJECT.
(MOSS/MUNDS)

RECOMMENDATION: Adopt a resolution preserving the City’s ability to enter into a Lease Purchase Agreement for approximately \$3,000,000 to design and construct the approved Energy Conservation Project.

C6. DOWNTOWN UTILITY PIPELINE IMPROVEMENT PROJECTS, SPECIFICATION NO.’S 90240 & 90261. (MCCLUSKEY/LYNCH/CORNEJO)

RECOMMENDATION: 1) Approve the award to and execute a contract with Tierra Contracting, Inc. in the amount of \$937,000 for “Water, Sewer and Stormdrain Improvement Project, Specification No. 90240” and authorize the Mayor to execute the contract. 2) Approve the transfer of \$10,100 from the Prefumo Arm and Marsh Street Silt Removal Projects to the 90240 project account. 3) Approve the award to and execute a contract with Arthur’s Construction in the amount of \$628,938 for “Water and Sewer Improvement Project, Specification No. 90261” and authorize the Mayor to execute the contract. 4) Approve the transfer of \$20,000 from the Railroad Square Lot Seal Project to the 90261 project account.

APPOINTMENT

A1. NOMINATIONS TO THE HOUSING ELEMENT UPDATE TASK FORCE.
(MANDEVILLE/HOOK – 20 MINUTES)

RECOMMENDATION: Appoint members to serve on the Housing Element Update Task Force by: 1) Accepting the nominations for twelve organization representatives, and 2) appointing individuals to fill the four at-large categories, either from the applications received or from names put forward by Council Members.

BUSINESS ITEM

1. REVISED REGIONAL HOUSING NEEDS ALLOCATIONS.
(MANDEVILLE/HOOK – 30 MINUTES)

RECOMMENDATION: 1) With respect to the January 8, 2003 SLOCOG meeting to consider revised housing need allocations, provide Council Member Schwartz with the following direction: a) endorse the 333 unit reduction in the City's housing need allocation based on revised jobs data as a percentage of total County employment, lowering the City's allocation from 5,450 to 5,117 dwellings; and b) endorse a proposed shift of 2,000 above moderate income housing units from the cities to the unincorporated County, further reducing the City's allocation from 5,117 to 4,383 dwellings, with the understanding that this shift will respect the general plans of the County and the cities and that most of the added dwellings will be developed on existing "lots of record"; and c) endorse the proposal by SLOCOG staff to count Cal Poly University housing toward meeting the City's housing needs based on the inclusion of Cal Poly employment in the City's job share, and on the impact the University has on the City's overall housing supply and demand. 2) Continue to work cooperatively with all SLOCOG agencies to effect statewide legislative reform in the regional housing needs determination process and in state growth policies. 3) Direct staff to work with the Housing Element Update Task Force and the Planning Commission to prepare a housing element that can hopefully achieve state certification based on the reduced housing need allocation and on respect for City General Plan goals.

PUBLIC HEARINGS

2. **TEXT AMENDMENT TO THE ZONING REGULATIONS CREATING STANDARDS FOR BED AND BREAKFAST ESTABLISHMENTS IN THE R-3, R-4, AND AG ZONE DISTRICTS AND ASSOCIATED ENVIRONMENTAL REVIEW (NEGATIVE DECLARATION) (TA/ER 41-02); CITY-WIDE; CITY OF SAN LUIS OBISPO, APPLICANT.** (MANDEVILLE/AZEVEDO – 45 MINUTES)

RECOMMENDATION: As recommended by the Planning Commission, introduce an ordinance 1) approving a negative declaration and 2) adopting development standards for bed and breakfast establishments in the R-3, R-4, and AG zone districts, based on findings.

3. **A REQUEST FOR A DENSITY BONUS OF 58% TO ALLOW AN AFFORDABLE, SENIOR HOUSING PROJECT WITH 40 1-BEDROOM APARTMENTS; 2005 JOHNSON AVENUE, ARC 147-02.** (MANDEVILLE/CODRON – 1 HOUR)

RECOMMENDATION: Approve the request for a density bonus, subject to Architectural Review Commission review and approval of the project.

7:00 P.M.

PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA (not to exceed 15 minutes total)
The Council welcomes your input. You may address the Council by completing a speaker slip and giving it to the City Clerk prior to the meeting. At this time, you may address the Council on items that are not on the agenda or items on the Consent Agenda. Time limit is three minutes. State law does not allow the Council to discuss or take action on issues not on the agenda, except that members of the Council or staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights (Gov. Code Sec. 54954.2). Staff may be asked to follow up on such items. Staff reports and other written documentation relating to each item referred to on this agenda are on file in the City Clerk's Office in Room 1 of City Hall.

PRESENTATION

PROCLAMATION: WATER AWARENESS YEAR. (MOSS/BAASCH – 3 MINUTES)

PUBLIC HEARINGS, CONTINUED

4. **SAN LUIS GARBAGE COMPANY INTERIM YEAR SOLID WASTE RATE ADJUSTMENT APPLICATION.** (MOSS/MUNDS – 20 MINUTES)

RECOMMENDATION: Adopt a resolution increasing solid waste rates by 2% for interim year 2003 to become effective on February 7, 2003.

BUSINESS ITEMS, CONTINUED

5. **COUNCIL CONSIDERATION OF A RESOLUTION OPPOSING UNILATERAL PREEMPTIVE MILITARY ACTION AGAINST IRAQ BY THE UNITED STATES.** (HUMAN RELATIONS COMMISSION)

RECOMMENDATION: As recommended by the Human Relations Commission (HRC), adopt a resolution opposing unilateral preemptive military action against Iraq by the United States and direct staff to forward the resolution to federal officials.

COUNCIL LIAISON REPORTS (not to exceed 15 minutes)
Council Members report on conferences or other City activities. Time limit—3 minutes.

COMMUNICATIONS (not to exceed 15 minutes)
At this time, any Council Member or the City Administrative Officer may ask a question for clarification, make an announcement, or report briefly on his or her activities. In addition, subject to Council Policies and Procedures, they may provide a reference to staff or other resources for factual information, request staff to report back to the Council at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda (Gov. Code Sec. 54954.2).

A. **ADJOURN.**

ADVISORY BODIES

ARCHITECTURAL REVIEW COMMISSION (ARC)

The ARC generally meets the first and third Monday of each month. The meetings are held in City Hall in the Council Hearing Room at City Hall, 990 Palm St. and begin at 5:00 p.m. Call 781-7170 to confirm times and dates.

BICYCLE ADVISORY COMMITTEE (BAC)

The Bicycle Advisory Committee meets quarterly in March, June, September, and December. Call 781-7178 to confirm exact dates and times.

CITY COUNCIL

The City Council meets on the first and third Tuesday of every month. The meetings generally begin at 7:00 p.m. and are held in City Hall in the Council Chamber, 990 Palm Street. Call 781-7103 to confirm times and dates.

CULTURAL HERITAGE COMMITTEE (CHC)

The CHC meetings are held on the fourth Monday of the Month at 5:30 p.m. in the Council Hearing Room at City Hall, 990 Palm St. Call 781-7170 to confirm dates and times.

DOWNTOWN ASSOCIATION BOARD OF DIRECTORS

The Downtown Association Board usually meets the second Tuesday of the month at 7:30 a.m. in the Council Hearing Room located at City Hall, 990 Palm St. Call 541-0286 to confirm the date and time.

HOUSING AUTHORITY

The Housing Authority meets the third Thursday of the month at noon in the Housing Authority offices located at 487 Leff St. Call 543-4478 to confirm dates and times

HUMAN RELATIONS COMMISSION (HRC)

The Human Relations Commission usually meets the first Wednesday of the month and are held in City Hall in the Council Hearing Room, 990 Palm St. beginning at 5:30 p.m. Call 781-7251 to confirm dates and times.

JACK HOUSE COMMITTEE

The Jack House Committee meets the second Wednesday of the month at the Parks & Recreation Department, 1341 Nipomo Street, at 7:00 p.m. Call 781-7305 to confirm the dates and times.

JOINT USE OF RECREATIONAL FACILITIES COMMITTEE (JUC)

The Joint Use Committee meets the fourth Tuesday of each month at noon at the Recreation Department located at 1344 Nipomo Street. Call 781-7300 to confirm dates and times.

MASS TRANSPORTATION COMMITTEE (MTC)

The Mass Transportation Committee meetings are held on call, generally on a quarterly basis. Call 781-7121 to confirm exact dates and times.

PARKS AND RECREATION COMMISSION (P & R)

The Parks and Recreation Commission typically meet the first Wednesday of the month in the City/County Library located at 995 Palm St. and begin at 7:00 p.m. Call 781-7300 to confirm dates and times.

PLANNING COMMISSION

The Planning Commission meets the second and fourth Wednesday of the month at 7:00 p.m. in the Council Chambers, City Hall, 990 Palm Street. Call 781-7170 to confirm dates and times.

PROMOTIONAL COORDINATING COMMITTEE (PCC)

The Promotional Coordinating Committee meets the second Wednesday of each month at 5:30 p.m. in the Council Hearing Room at City Hall, 990 Palm St. Call 781-7123 to confirm the times and places.

TREE COMMITTEE

Tree Committee meets at 5:00 p.m. on the fourth Monday of the month at the City's Corporation Yard located at 25 Prado Road. Call 781-7220 to confirm dates and times.