



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

Tuesday, June 15, 2004

4:00 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, Christine Mulholland,
Allen K. Settle, Vice Mayor Ken Schwartz,
Mayor Dave Romero

PUBLIC HEARING

- 1. APPEAL OF TREE COMMITTEE DECISION TO APPROVE TREE REMOVAL REQUEST.** (MCCLUSKEY/BEIGHTS – 40 MINUTES)

RECOMMENDATION: Adopt a resolution denying the appeal of the Tree Committee's decision to approve the removal request at 1670 Phillips Lane.



City Council regular meetings are televised live on 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.

PUBLIC COMMENTS ON AGENDA ITEMS: You may address the Council on any item described in this agenda by completing a speaker slip and giving it to the City Clerk prior to the meeting. The Mayor will open the floor to and invite public comments before the Council takes action on each item. (Gov. Code Sec. 54954.3(a)). Your speaking time is limited to three (3) minutes. (CC&P Sec.1.3.7).

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 issues 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.

CORRESPONDENCE TO COUNCIL: Written comments on agenda items are encouraged and are most effective if presented at least one day prior to the meeting. Note: Correspondence to Council received **after** 5:00 p.m. on the day of the Council meeting regarding agenda items may not be distributed until the following day.

BUSINESS ITEMS

2. 2004–05 PROMOTIONAL COORDINATING COMMITTEE GRANTS-IN-AID (GIA) RECOMMENDATIONS. (GEORGE/KISER – 15 MINUTES)

RECOMMENDATION: As recommended by the Promotional Coordinating Committee (PCC): 1) Adopt a resolution approving 2004-05 Grants-in-Aid (GIA) and authorizing the City Administrative Officer to execute agreements with each grant recipient as described in Exhibit "A" attached to the resolution, inclusive of any modifications made by the Council; 2) Allocate any remaining funds from the 2004-05 GIA program to the PCC's Enhanced Promotional Fund for uses consistent with that program's established granting criteria.

3. 2004 WATER RESOURCES STATUS REPORT. (MOSS/HENDERSON – 45 MINUTES)

RECOMMENDATION: 1) Receive and file report. 2) Approve the recommended prioritization of water supply projects as identified in Table 2.

4. WHEELING OF NACIMIENTO WATER TO AFUERO DE CHORRO MUNICIPAL WATER COMPANY. (MOSS/GILMORE – 20 MINUTES)

RECOMMENDATION: Deny the request by Afuero de Chorro Mutual Water Company to treat and wheel Nacimiento water through the City's water treatment and distribution system.

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.

PROCLAMATION

PROCLAMATION FOR NATIONAL MANAGEMENT ASSOCIATION (NMA) WEEK.
(ROMERO – 5 MINUTES)

CONSENT AGENDA

The Consent Agenda is approved on one motion. Council Members may pull consent items to be considered after Business items. The public may comment on any item on the Consent Calendar.

C1. APPROVE MINUTES OF TUESDAY, MAY 25, 2004 SPECIAL MEETING AND TUESDAY, JUNE 1, 2004 REGULAR MEETING. (REYNOLDS)

RECOMMENDATION: Waive oral reading and approve as presented.

C2. GENERAL MUNICIPAL ELECTION FOR NOVEMBER 2, 2004. (REYNOLDS)

RECOMMENDATION: 1) Adopt a resolution Calling and Giving Notice of the Holding of a General Municipal Election to be Held Tuesday, November 2, 2004 for the Election of Certain Officers as Required by the Provisions of the Charter. 2) Adopt a resolution Requesting The San Luis Obispo County Board of Supervisors to Consolidate the General Municipal Election on Tuesday, November 2, 2004, With the Statewide General Election to be Held on that Date.

C3. COLLECTION OF DELINQUENT SOLID WASTE COLLECTION AND DISPOSAL ACCOUNTS. (MOSS/MUNDS)

RECOMMENDATION: Adopt a resolution authorizing the San Luis Obispo County Assessor to assess the amounts due to San Luis Garbage Company on delinquent accounts for provision of solid waste collection and disposal services as described within Municipal Code Section 8.04.070 as liens against the properties involved.

C4. ZONE 9 CREEK AND FLOOD PROTECTION REIMBURSEMENT AGREEMENT. (MCCLUSKEY/WALTER)

RECOMMENDATION: Adopt a resolution to authorize the City Administrative Officer to approve an agreement with San Luis Obispo County Flood Control and Water Conservation District Zone 9 for reimbursement of streambed clearing and exotics control/revegetation program.

C5. APPROPRIATIONS LIMIT FOR 2004-05. (STATLER/DOMINGUEZ)

RECOMMENDATION: Adopt a resolution establishing the City's appropriations limit for 2004-05.

C6. SURPLUS CITY PROPERTY. (STATLER)

RECOMMENDATION: Adopt a resolution declaring equipment as surplus property.

PUBLIC HEARINGS, CONTINUED

5. **REVIEW PROPOSED GENERAL PLAN AMENDMENTS AND ZONING REGULATIONS AMENDMENTS TO PROVIDE GREATER FLEXIBILITY FOR THE LOCATIONS OF MEDICAL SERVICES (GPA/TA/ER 22-04).**
(MANDEVILLE/CODRON – 45 MINUTES)

RECOMMENDATION: As recommended by the Planning Commission, take the following actions to provide greater flexibility for the locations of medical services in the City: 1) Approve in concept amendments to General Plan Policies LU 3.4.2.C, LU 3.6.1 and LU 3.6.2 to provide greater flexibility for the locations of medical services. 2) Approve in concept an ordinance allowing certain types of medical services to be located in the C-S and BP zoning districts, with the approval of an Administrative Use Permit. 3) Approve in concept a Negative Declaration of Environmental Impact for the project. 4) Continue this item to the July 6, 2004 Council meeting for adoption of the General Plan amendment, introduction of the ordinance, and approval of the Negative Declaration.

6. **GENERAL PLAN AMENDMENT AND REZONE FROM MEDIUM DENSITY RESIDENTIAL TO TOURIST COMMERCIAL FOR PROPERTY LOCATED AT 1661 MILL STREET (GP/R/ER 37-04).** (MANDEVILLE/DUNSMORE – 45 MINUTES)

RECOMMENDATION: Adopt a resolution conceptually approving a Mitigated Negative Declaration of environmental impact and amendment to the City's Land Use Element Map and Zoning Map designations from Medium Density Residential (R-2) to Tourist Commercial (C-T-S), which directs staff to return the project to the Council at the July 6, 2004, regular meeting, to formally adopt a resolution and ordinance for the project.

7. **WATER AND WASTEWATER IMPACT FEES.** (MOSS/BAASCH – 60 MINUTES)

RECOMMENDATION: Adopt a resolution amending water and wastewater impact fees effective September 1, 2004.

8. **ADOPTION OF 2004-05 BUDGET.** (HAMPIAN/STATLER/DOMINGUEZ – 60 MINUTES)

RECOMMENDATION: Adopt a resolution approving amendments to the 2003-05 Financial Plan and appropriating funds for fiscal year 2004-05.

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 at 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 at City Hall in the Council Hearing Room, 990 Palm St. beginning at 5:00 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 5:30 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 1341 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 meets 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 (PC)

The Planning Commission meets the second and fourth Wednesday of the month at 7:00 p.m. in the Council Chamber, 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.