



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

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**Tuesday, May 17, 2005**

**\*4:00 P.M.**

**REGULAR MEETING**

**Council Chamber  
990 Palm Street**

**\*PLEASE NOTE EARLY  
START TIME**

**CALL TO ORDER:** Mayor Dave Romero

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Council Members Paul Brown, Christine Mulholland,  
Allen K. Settle, Vice Mayor John Ewan,  
Mayor Dave Romero

STUDY SESSION

- 1. INTRODUCTION TO LAFCO'S SPHERE OF INFLUENCE UPDATE AND CONSIDERATION OF A DRAFT MEMORANDUM OF AGREEMENT REGARDING DEVELOPMENT AND URBAN SERVICES IN THE URBAN FRINGE.** (MANDEVILLE/HOOK – 75 MINUTES)

RECOMMENDATION: 1. Review and endorse the proposed approach to the update; 2. Endorse the Draft Memorandum of Agreement regarding urban services or provide comments on the draft, as appropriate; and, 3. Refer the item to the Planning Commission for consideration and a recommendation.



City Council regular meetings are televised live on Charter Channel 20. The City of San Luis Obispo is committed to including 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 781-7100.

**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 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. 919 PALM STREET PROJECT. (WALTER/MCGUIRE – 45 MINUTES)**

RECOMMENDATION: 1. Approve a revised project budget for the 919 Palm Parking/Offices project of \$17,354,000 funded as outlined in the Council Agenda Report. 2. Approve the plans and specifications for Tenant Improvements at 919 Palm, Specification No. 90323 and authorize the City Administrative Officer to award the contract if within the project budget of \$1.4 million. 3. Approve the sole source purchase for office systems furnishings at 919 Palm from California Business Furnishings and authorize the City Administrative Officer to award the contract if the purchase is within the project budget of \$525,000. 4. Authorize the City Administrative Officer to issue an RFP and award a contract for Construction Management Services for 919 Palm if the contract is within the project budget of \$30,000.

**7:00 P.M.**

## PRESENTATION

**PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK. (ROMERO – 5 MINUTES)**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.

## 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 3, 2005, REGULAR MEETING. (HOOPER)**

RECOMMENDATION: Waive oral reading and approve as presented.

**C2. RESOLUTION DECLARING THE RESULTS OF THE SPECIAL MUNICIPAL ELECTION HELD TUESDAY, APRIL 26, 2005.** (HOOPER)

RECOMMENDATION: Adopt a resolution declaring the results of the Tuesday, April 26, 2005 Special Municipal Election.

**C3. ADOPTION OF A RESOLUTION DECERTIFYING THE ENVIRONMENTAL IMPACT REPORT AND RESCINDING THE USE PERMIT FOR THE MARKETPLACE DEVELOPMENT PROJECT.** (MANDEVILLE)

RECOMMENDATION: Adopt a resolution de-certifying the environmental impact report and rescinding the use permit for the proposed Marketplace development project.

**C4. AGREEMENT WITH HDR FOR UTILITY BILLING STUDY SERVICES.** (MOSS/BAASCH)

RECOMMENDATION: 1. Approve contracting with HDR Engineering, Inc./Economic and Engineering Services, Inc., in association with Langham Consulting Services, in the amount of \$74,631, for financial and engineering services to evaluate the City's water and sewer rate policies and structures, and options for remote meter reading systems and utility billing software support; and, 2. Authorize the Mayor to execute the agreement.

**C5. REQUEST FOR QUALIFICATIONS FOR RIGHT OF WAY ACQUISITION SERVICES.** (WALTER/VAN BEVEREN)

RECOMMENDATION: 1. Approve the Request for Qualifications for Right of Way Acquisition Services. 2. Authorize the City Administrative Officer to execute an agreement with the top selected consultants, and purchase orders up to \$100,000 for individual right of way service contracts.

**C6. MODIFICATION OF 2005 LEGISLATIVE ACTION PLATFORM.** (LOWELL)

RECOMMENDATION: Adopt a resolution amending the Legislative Action Platform for 2005 to make a minor modification to language related to biosolids and to add a position related to load charges that was inadvertently omitted.

**C7. UPDATE ON THE IMPLEMENTATION OF THE SAN LUIS OBISPO COUNTY REGIONAL AIRPORT LAND USE PLAN. (MANDEVILLE/CODRON)**

RECOMMENDATION: 1. Direct staff to continue to work with the Airport Land Use Commission to insure that proposed amendments to the Airport Land Use Plan are approved as drafted. 2. Direct staff to recommend to the Planning Commission a Land Use Element amendment to add policy support for the Airport Compatible Open Space plan into the General Plan. 3. Direct staff to recommend to the Planning Commission minor amendments to the Zoning Regulations to update existing language and to implement requirements of the Airport Land Use Plan. 4. Direct staff and the Planning Commission to consider the establishment of an Airport Review (AR) overlay zone for those areas of the City subject to the requirements of the Airport Land Use Plan.

**C8. RESOLUTION REGARDING DESIGNATION OF VEHICLE ABATEMENT HEARING OFFICER. (LINDEN/DIETRICK)**

RECOMMENDATION: Adopt a resolution designating the City Administrative Officer or his/her designee as hearing officer for hearings requested on public nuisance vehicle abatement notices pursuant to Municipal Code Section 10.68.

**C9. AMENDMENT TO BYLAWS FOR ADVISORY COMMITTEE ON JOINT USE OF RECREATIONAL PROPERTY. (LESAGE/FITZGERALD)**

RECOMMENDATION: As recommended by the Advisory Committee on Joint Use of Recreational Property (JUC), approve an amendment to modify Section V of the bylaws of the JUC to change the meeting location from the San Luis Obispo Parks & Recreation Department to Ludwick Community Center.

**C10. AREA 8 STREET RECONSTRUCTION AND RESURFACING PROJECT, SPECIFICATION NO. 90481, PROJECT AWARD. (WALTER/LAWRENCE/LYNCH)**

RECOMMENDATION: 1. Approve the award to and execute a contract with Granite Construction in the amount of \$922,624 for the Street Reconstruction and Resurfacing Project, Specification No. 90481. 2. Use \$150,000 of the funds proposed for street reconstruction in 2005-06 to fully fund this contract.

**C11. ADOPTION OF THE LATEST EDITION OF THE ELECTRICAL CODE. (MANDEVILLE/BAASCH)**

RECOMMENDATION: Adopt Ordinance No. 1470 (2005 Series) amending Sections 15.02.010 and 15.04.80 of the San Luis Obispo Municipal Code to adopt the California Electrical Code, 2004 edition, and continue the previously established amendment to the City's electrical regulations.

**C12. 2005 TRANSPORTATION GRANT SUBMITTALS. (WALTER/BOCHUM)**

RECOMMENDATION: Adopt a resolution authorizing the submittal of various grants for transportation purposes.

**C13. CANCELLATION OF THE AUGUST 2, 2005 REGULAR CITY COUNCIL MEETING. (HOOPER)**

RECOMMENDATION: Cancel the Regular City Council Meeting of Tuesday, August 2, 2005, and confirm special meeting dates to review the Airport Area Specific Plan.

PUBLIC HEARINGS
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**3. RESOLUTION OF INTENTION AND INTRODUCTION OF ORDINANCE TO PROVIDE PRE-RETIREMENT OPTIONAL SETTLEMENT 2 DEATH BENEFIT FOR MISCELLANEOUS AND POLICE SAFETY EMPLOYEES. (IRONS/JENNY – 5 MINUTES)**

RECOMMENDATION: Adopt a resolution of intention and introduce an ordinance to print approving an amendment to the contract between the Board of Administration of PERS and the City of San Luis Obispo to provide the Pre-Retirement Optional Settlement 2 Death Benefit for miscellaneous and police safety employees.

**4. CULTURAL HERITAGE COMMITTEE REVIEW FEES. (STATLER/MANDEVILLE – 15 MINUTES)**

RECOMMENDATION: Adopt a resolution amending the City's master fee schedule to establish fees for development applications and other proposals requiring review by the Cultural Heritage Committee.

**5. MULTI-DWELLING RENTAL PROPERTY INSPECTION PROGRAM. (KNABE – 60 MINUTES)**

RECOMMENDATION: 1. Approve an enhanced property inspection program to meet annual state mandated fire and life safety inspections for all multi-dwelling rental properties containing three or more dwelling units, not including single family residences. This includes authorization to: a. Convert a contract Fire Inspector position to a regular position. b. Establish a new full-time regular Administrative Assistant position. c. Appropriate \$17,000 to purchase one new vehicle for field inspections. 2. Adopt a resolution establishing full cost-recovery fees for state-mandated fire and life-safety inspections. 3. Introduce to print an Ordinance adding Chapter 3.50 to the Municipal Code authorizing the collection of inspection fees via the secured property tax roll.

## BUSINESS ITEMS

**6. SAN LUIS OBISPO TRANSIT 2005 SERVICE REFINEMENTS.**  
(WALTER/O'DELL – 30 MINUTES)

MASS TRANSPORTATION COMMITTEE (MTC) RECOMMENDATION: 1. Adopt a resolution making several refinements to San Luis Obispo Transit services, including adjustments to headways, holiday schedules, and Sunday trolley hours, as outlined in the staff report. 2. Direct staff to study the feasibility of creating a new Route 2 by extending the current Route 2 from the City/County Library (not the Downtown Transit Center) to Foothill Road at Broad Street, and increase headways from forty minutes to sixty minutes. Implement changes by July 1, 2005. 3. Direct staff to study the feasibility of eliminating the north segment (Highland) of Route 1, and create a new Route 6c.

CAO RECOMMENDATION: Adopt the MTC recommendations with some changes to its proposed holiday schedule adjustments, and regarding the timing for completing the studies recommended under MTC recommendation #2 and #3, as explained in the report.

**7. RESULTS OF REVENUE BALLOT MEASURE FEASIBILITY ANALYSIS.**  
(HAMPIAN/STATLER – 60 MINUTES)

RECOMMENDATION: 1. Review and discuss the results of the revenue ballot measure feasibility analysis. 2. Direct staff to return in July 2005 with an action plan, schedule and budget for proceeding with the next step of initiating a public information program.

**8. 2004 GENERAL PLAN ANNUAL REPORT.** (MANDEVILLE/CODRON – 45 MINUTES)

RECOMMENDATION: As recommended by the Planning Commission, approve the 2004 General Plan Annual Report and provide direction to staff as appropriate.

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)

**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.