



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

Tuesday, May 19, 2009

7:00 P.M.

REGULAR MEETING

**Council Chamber
990 Palm Street**

CALL TO ORDER: Mayor Dave Romero

ROLL CALL: Council Members John Ashbaugh, Andrew Carter, Jan Howell Marx, Vice Mayor Allen K. Settle, and Mayor Dave Romero

PLEDGE OF ALLEGIANCE

PRESENTATIONS

CERTIFICATES OF APPRECIATION AND DEDICATION OF MINUTES BOOK TO JOSEPH CAROTENUTI AND DEAN MILLER. (ROMERO – 3 MINUTES)

PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK 2009. (ROMERO – 3 MINUTES)

PROCLAMATION FOR THE RETIREMENT OF LEE FERRERO. (ROMERO – 3 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 4 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.



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.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's office located at 990 Palm Street, San Luis Obispo, during normal business hours.

C1. MINUTES OF TUESDAY, APRIL 7, 2009. (HOOPER)

RECOMMENDATION: Waive oral reading and approve as presented.

C2. PROCEDURES FOR RECYCLED WATER USE ORDINANCE. (MATTINGLY/METZ)

RECOMMENDATION: Adopt Ordinance No. 1526 (2009 Series).

**C3. FINAL ABANDONMENT (VACATION) OF A PORTION OF CALLE JOAQUIN.
(WALTER/DOSTALEK/HANNULA)**

RECOMMENDATION: As recommended by the Planning Commission, adopt a resolution vacating a portion of the Calle Joaquin Right-of-Way, subject to the reservation of existing utility easements.

**C4. COUNTY'S COLLECTION OF FIRE AND LIFE SAFETY INSPECTION FEES.
(CALLAHAN/MAGGIO)**

RECOMMENDATION: Adopt a resolution enabling the continued collection of multi-dwelling property fire and life safety inspection fees via the secured property tax roll administered by the County.

**C5. CONTRACT WITH CALPERS FOR RETIREE HEALTH BENEFITS TRUST
ADMINISTRATION. (STATLER/MCANDREW)**

RECOMMENDATION: 1) Approve an agreement with the California Public Employee Retirement System (CalPERS) for trust administration in prefunding "Other Post Employment Benefits" (OPEB). 2) Approve delegation of authority for disbursements from the OPEB trust.

C6. 2009 ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION. (CALLAHAN/DILTS)

RECOMMENDATION: Authorize staff to submit a grant application in the amount of \$70,200 to the Federal Assistance to Firefighters Grant Program to acquire Personal Protective Equipment, coats and pants, for structural firefighting.

**C7. CITY HALL STRUCTURAL ROOF REPAIRS, SPECIFICATION NO. 90778.
(WALTER/MCGUIRE)**

RECOMMENDATION: 1) Award a contract agreement in the amount of \$61,700 to Architectural Roof Design Group for forensic and design services for "City Hall Structural Roof Repairs, Specification No. 90778." 2) Approve the transfer of \$54,000 from the project construction management account to the project design account.

C8. EMPLOYEE SALARY CONCESSIONS ("ZERO-YEAR"). (IRONS)

RECOMMENDATION: 1) Authorize the City Manager to execute amendments to the Memorandum of Agreement (MOA) between the City and represented employee associations that implement the "zero-year" tentative agreements described in this report. 2) Adopt a

resolution stating there shall be no increases in management compensation through December 31, 2010. 3) Adopt a resolution approving the deferral of the July 2009 salary increase of 5% for confidential employees, as outlined in the report.

C9. ADDED STATE TAKEAWAYS FROM CITIES AND FINDING OF SEVERE FISCAL HARDSHIP. (STATLER)

RECOMMENDATION: Adopt a resolution opposing added State takeaways from cities and finding of severe fiscal hardship if this occurs.

PUBLIC HEARINGS

1. REQUEST BY HABITAT FOR HUMANITY FOR APPROVAL OF A MINOR SUBDIVISION WITH EXCEPTIONS FOR LOT SIZE, LOT DEPTH AND REDUCED STREET YARD, AND AFFORDABLE HOUSING INCENTIVES (1324 PHILLIPS; MS 23-09). (MANDEVILLE/CODRON – 30 MINUTES)

RECOMMENDATION: Adopt a resolution, approving the proposed project on 1324 Phillips with the following components: 1) As recommended by the Planning Commission, approve a minor subdivision with exceptions for lot size, lot depth, and a reduced street yard. 2) Approve affordable housing incentives for the project, including a 45% density bonus and a grant of \$332,500 from the City's Affordable Housing Fund (AHF).

2. DRAFT HOUSING ELEMENT UPDATE (GPA 120-08). (MANDEVILLE/MURRY – 1 HOUR 30 MINUTES)

RECOMMENDATION: Review the Draft Housing Element (GPA 120-08) focusing on Chapter 3, provide direction to staff on necessary changes or additions, and endorse sending the draft document to the State Department of Housing and Community Development (HCD) for an initial review prior to completing the public hearing process.

BUSINESS ITEMS

3. AFFORDABLE HOUSING FUND AWARD FOR THE WINEMAN HOTEL REHABILITATION PROJECT (849 HIGUERA). (MANDEVILLE/CODRON – 30 MINUTES)

RECOMMENDATION: Adopt a resolution approving an award of \$1 million from the Affordable Housing Fund (AHF) for the Wineman Hotel Rehabilitation Project in exchange for deed restrictions that will guarantee the affordability of 23 low-income units for a term of 34 years.

4. STRATEGIC BUDGET DIRECTION: REVENUE FOLLOW-UP. (STATLER – 15 MINUTES)

RECOMMENDATION: Conceptually approve the following revenue actions for 2009-11 in follow-up to Council direction for added information at the April 21, 2009 meeting: 1) Implement a monthly rate program for child care services that would retain the current hourly rate as its basis. 2) Implement the use of administrative citations for open container violations as initially proposed. 3) Defer consideration of "trash roll-off" fees pending exploration of an annual permit fee with waste hauling companies. 4) Establish a new \$100 minimum base encroachment permit fee for application of voluntary work or other public beneficial work in the right of way that does not require significant staff review (such as traffic control, inspection or design). 5) Implement the significant fee reduction reflected in the Cost of Services Study for sewer lateral replacement encroachment permits.

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.