



council agenda

CITY OF SAN LUIS OBISPO
CITY HALL, 990 PALM STREET

Tuesday, July 6, 2010

2:00 P.M.	CLOSED SESSION	990 Palm Street
4:00 P.M.	SPECIAL MEETING	
IMMEDIATELY FOLLOWING	CLOSED SESSION	
7:00 P.M.	REGULAR MEETING	

2:00 P.M. – CLOSED SESSION – COUNCIL HEARING ROOM

CALL TO ORDER: Mayor Dave Romero

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

ANNOUNCEMENT OF CLOSED SESSION TOPIC

PUBLIC COMMENT ON CLOSED SESSION ITEM

CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

Agency Negotiators: Monica Irons, Rick Bolanos
Employee Organizations: San Luis Obispo City Employees' Association (SLOCEA),
San Luis Obispo Police Officers' Association (POA) and
San Luis Obispo City Firefighters, Local 3523
Unrepresented Employees: Confidential Employees, Unrepresented Management
Employees



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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.

ADJOURN TO A 4:00 P.M. SPECIAL MEETING

4:00 P.M. – SPECIAL MEETING – COUNCIL CHAMBER

CLOSED SESSION REPORT. (DIETRICK)

PUBLIC COMMENTS ON AGENDA ITEMS ONLY: 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)

BUSINESS ITEMS

1. HIGHWAY 1 MAJOR INVESTMENT STUDY. (WALTER/HUDSON – 1 HOUR)

RECOMMENDATION: 1. Receive and discuss the draft Major Investment Study for State Route 1 between Stenner Creek Road and the Highway 101 interchange. 2. Adopt a resolution endorsing the Major Investment Study

2. RESPONSE TO THE GRAND JURY REPORT – LEAF BLOWER HAZARDS. (MANDEVILLE/GIRVIN – 30 MINUTES)

RECOMMENDATION: 1. Direct the City Manager to respond to the Grand Jury on behalf of the City Council and implement the recommendations offered in the Grand Jury report. 2. Direct staff to return to the Council within six months with further analysis of an ordinance calling for a gradual two year phase-out of all two-cycle gasoline powered leaf blowers within the City of San Luis Obispo.

3. CONSIDERATION OF REQUEST TO SUBMIT A PROPOSAL TO PROVIDE CONTRACT DISPATCH SERVICES. (LINDEN – 30 MINUTES)

RECOMMENDATION: Consider requests from the Cities of Arroyo Grande and Grover Beach to submit a proposal to provide contract Dispatch services to those Cities and to the newly formed five Cities Fire Joint Powers Authority and provide direction to staff.

ADJOURN TO CLOSED SESSION

CLOSED SESSION IMMEDIATELY FOLLOWING THE 4:00 P.M. SPECIAL MEETING – COUNCIL HEARING ROOM

ANNOUNCEMENT OF CLOSED SESSION TOPIC

PUBLIC COMMENT ON CLOSED SESSION ITEM

CLOSED SESSION

CONFERENCE REGARDING PROPERTY NEGOTIATIONS

Pursuant to Government Code § 54956.8

PROPERTY: 1106 Oceanaire Drive

NEGOTIATING PARTIES:

City of San Luis Obispo: Jay Walter and Hamner, Jewell & Associates
Government Real Estate Services

Property Owner: Windermere Homeowners Association
NEGOTIATIONS: Possible acquisition of property

ADJOURN TO A REGULAR MEETING

7:00 P.M. – REGULAR MEETING – COUNCIL CHAMBER

PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT. (DIETRICK)

PRESENTATION

PROCLAMATION FOR PARKS AND RECREATION MONTH. (ROMERO – 3 MINUTES)

APPOINTMENTS

A1. APPOINTMENTS TO THE CULTURAL HERITAGE COMMITTEE (CHC) AND THE PROMOTIONAL COORDINATING COMMITTEE (PCC). (STANWYCK/CANO – 5 MINUTES)

RECOMMENDATION: In accordance with the recommendations of the Council Subcommittees, make appointments to the City's advisory bodies as follows: 1. Cultural Heritage Committee (Subcommittee Members Marx and Romero) – Appoint Enrica Costello to the Cultural Heritage Committee (CHC) effective July 6, 2010, and expiring on March 31, 2014. 2. Promotional Coordinating Committee (Subcommittee Members Carter and Settle) – Appoint Marilyn Fidler to the Promotional Coordinating Committee (PCC) effective July 6, 2010, and expiring on March 31, 2012.

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.

C1. MINUTES OF APRIL 20 AND MAY 4, 2010. (STANWYCK/CANO)

RECOMMENDATION: Waive oral reading and approve as presented.

C2. RESPONSE TO THE GRAND JURY REPORT, COMMUNITY DEVELOPMENT BLOCK GRANTS AND THE CITY OF SAN LUIS OBISPO. (MANDEVILLE/CODRON)

RECOMMENDATION: Direct the City Manager to respond to the Grand Jury on behalf of the City Council and implement the recommendations offered in the Grand Jury report, as follows: 1. The Community Development Department should take advantage of training opportunities facilitated by the County of San Luis Obispo regarding the Community Development Block Grant Program. 2. The Community Development Department should immediately implement the changes they proposed to help prevent future Block Grant violations. 3. The Community Development Department should actively monitor current Block Grant activity at Judson Terrace Homes until the current prevailing wage issue has been resolved and the 18 wall heaters have been installed. 4. Recipients of Block Grant funds for specific projects should, when appropriate, be encouraged to communicate project scope and timeline information to potentially affected community members.

C3. AFFORDABLE HOUSING AWARD FOR SAN LUIS OBISPO COUNTY HOUSING TRUST FUND. (MANDEVILLE/CODRON)

RECOMMENDATION: Adopt a resolution approving an Affordable Housing Fund award in the amount of \$30,000 for the San Luis Obispo County Housing Trust Fund.

C4. MICROSURFACING SUMMER 2010 PROJECT, SPECIFICATION NO. 90986, AND STREET RECONSTRUCTION SUMMER 2010 PROJECT, SPECIFICATION NO. 90985. (WALTER/GUZMAN)

RECOMMENDATION: 1. Approve plans and specifications for the Microsurfacing Summer 2010 Project, Specification No. 90986. 2. Approve plans and specifications for the Street Reconstruction Summer 2010 Project, Specification No. 90985. 3. Authorize staff to advertise for bids and authorize the City Manager to award the contract if the lowest responsible bid for the Microsurfacing Summer 2010 Project is within the Engineer's Estimate of \$991,471. 4. Authorize staff to advertise for bids and authorize the City Manager to award the contract if the lowest responsible bid for the Street Reconstruction Summer 2010 Project is within the Engineer's Estimate of \$892,245.

C5. APPROVAL OF MILLS ACT CONTRACT FOR THE HISTORIC SANDERCOCK HOUSE (CHCMA 23-10). (MANDEVILLE/LEVEILLE)

RECOMMENDATION: As recommended by the Cultural Heritage Committee (CHC), adopt a resolution approving a Mills Act contract for the historic Sandercock House located at 535 Islay Street (CHCMA 23-10).

C6. APPROVAL OF MILLS ACT CONTRACT FOR THE HISTORIC VARD SHEPHARD HOUSE (CHCMA 17-10). (MANDEVILLE/DAVID)

RECOMMENDATION: As recommended by the Cultural Heritage Committee (CHC), adopt a resolution approving a Mills Act contract for the historic Vard Shephard house located at 148 Broad Street.

C7. WATERLINE IMPROVEMENTS – VARIOUS LOCATIONS, SPECIFICATION NO. 90935. (WALTER/REYES)

RECOMMENDATION: 1. Approve the plans and specifications for the "Waterline Improvements, Various Locations" Project, Specification No. 90935. 2. Authorize staff to advertise for bids and authorize the City Manager to award the contract if the lowest responsible bid is within the Engineer's Estimate of \$598,412.

C8. CONTRACT WITH COUNTY FOR ANIMAL CARE AND CONTROL SERVICES FOR FISCAL YEAR 2010-13. (LINDEN)

RECOMMENDATION: Approve a three-year contract with the County of San Luis Obispo for the continued provision of Animal Care and Control Services from July 1, 2010, to June 30, 2013, in the amount of \$151,346 for the first year, with Consumer Price Index (CPI) adjustments thereafter, and authorize the Mayor to execute the contract.

**C9. ASSISTANCE TO FIREFIGHTERS GRANT APPLICATION FOR 2010.
(CALLAHAN/COX)**

RECOMMENDATION: 1. Authorize staff to submit a grant application \$217,559 to the Federal Assistance to Firefighters Grant Program to fund training for fire suppression personnel. 2. If grant is awarded, authorize the City Manager to accept and appropriate the funds to Fire Department Training budget.

**C10. AMENDMENT TO CHAPTER 17.88 OF THE MUNICIPAL CODE RELATING TO RESIDENTIAL GROWTH MANAGEMENT (GP/ER 133-09).
(MANDEVILLE/DUNSMORE)**

RECOMMENDATION: Adopt Ordinance No. 1550 (2010 Series) to reflect adopted changes to Land use Element policies 1.10.2 and 1.10.3.

C11. COLLECTION OF DELINQUENT SOLID WASTE COLLECTION AND DISPOSAL ACCOUNTS. (MATTINGLY/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 in City Municipal Code Section 8.04.070 as liens against the properties involved.

C12. 2009-10 COMMUNITY PROMOTIONS CONTRACTS. (STANWYCK/ELKE)

RECOMMENDATION: 1. As recommended by the Tourism Business Improvement District (TBID) Board, extend the contract for Marketing Services for the TBID (Specification No. 90895) with Level Studios for an additional two years and authorize the Mayor to execute the amendment to the agreement in the amount of \$750,000. 2. Authorize the City Manager to enter into various contracts for Community Promotions not to exceed the 2010-11 budget amount of \$367,900 and based on the recommendations by the Promotional Coordinating Committee (PCC) and the Tourism Business Improvement District (TBID) Board. 3. Authorize the City Manager to enter into contracts utilizing the Tourism Business Improvement District Fund un-appropriated fund balance from the 2009-10 fiscal year for tourism marketing expenditures in 2010-11.

C13. MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES BUREAU OF LAND MANAGEMENT REGARDING 78 ACRES OF LAND NEAR THE CITY OF SAN LUIS OBISPO. (STANWYCK/HAVLIK)

RECOMMENDATION: Authorize the Mayor to execute a Memorandum of Understanding (MOU) with the United States Bureau of Land Management (BLM), regarding the management of a 78 acre parcel of land in the Irish Hills adjacent to the From Ranch, near the City of San Luis Obispo, subject to City Attorney approval of the final MOU.

PUBLIC HEARINGS

4. **WATER AND WASTEWATER MANAGEMENT ELEMENT UPDATE (GPA/ER 11-10).** (MATTINGLY/HENDERSON/HIX/METZ/MUNDS – 1 HOUR)

RECOMMENDATION: As recommended by the Planning Commission, adopt a resolution approving the Negative Declaration of Environmental Impact and the July 2010 Water and Wastewater Management Element of the General Plan.

5. **FIFTEEN YEAR FRANCHISE AGREEMENTS FOR SOLID WASTE, RECYCLING, AND GREEN WASTE COLLECTION AND DISPOSAL SERVICES WITH SAN LUIS GARBAGE COMPANY.** (MATTINGLY/MUNDS – 15 MINUTES)

RECOMMENDATION: Introduce to print an ordinance granting San Luis Garbage Company 15-year franchise agreements; one each for solid waste, recycling, and green waste collection and disposal services.

6. **DEFER PARKING METER RATE INCREASES AND PARKING STRUCTURE RATE INCREASES.** (WALTER/HORCH – 5 MINUTES)

RECOMMENDATION: 1. Introduce an ordinance to defer an increase to non-core parking meter rates to \$1 until July 1, 2011, under San Luis Obispo Municipal Code Section 10.52.010. 2. Adopt a resolution to defer an increase of parking structure rates to \$1 an hour until July 1, 2011.

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 Manager 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.