



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

Tuesday, May 3, 2011

7:00 p.m.

REGULAR MEETING

**Council Chamber
990 Palm Street**

CALL TO ORDER: Mayor Jan Marx

ROLL CALL: Council Members Dan Carpenter, Andrew Carter and Kathy Smith, Vice Mayor John Ashbaugh and Mayor Jan Marx

PLEDGE OF ALLEGIANCE

PRESENTATIONS

PROCLAMATION FOR DAYS OF REMEMBRANCE. (MARX – 5 MINUTES)

PROCLAMATION CELEBRATING THE CITY'S CHARTER CENTENNIAL. (MARX – 5 MINUTES)

PROCLAMATION FOR NATIONAL TOURISM MONTH. (MARX – 5 MINUTES)

PRESENTATION BY SAN LUIS OBISPO COUNTY DISTRICT 2 SUPERVISOR, BRUCE GIBSON. (GIBSON – 15 MINUTES)

PRESENTATION BY PG&E AND EMF (ELECTRO MAGNETIC FIELDS) SAFETY NETWORK ON SMART METERS. (MARX – 30 MINUTES)



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.

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. 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. (CODRON/CANO)

RECOMMENDATION: Waive oral reading and approve as presented.

**C2. MARSH STREET BRIDGE REPAIR, SPECIFICATION NO. 90480.
(WALTER/MCGUIRE)**

RECOMMENDATION: Reallocate design and construction funding from the Chorro Street Bridge Rehabilitation project to Marsh Street Bridge Repair, Specification No. 90480.

C3. MICROSURFACING SUMMER 2011 MEASURE Y PROJECT, SPECIFICATION NO. 91041 AND STREET RECONSTRUCTION SUMMER 2011 MEASURE Y PROJECT, SPECIFICATION NO. 91040. ((WALTER/GUZMAN)

RECOMMENDATION: 1) Approve plans and specifications for the Microsurfacing Summer 2011 Project, Specification No. 91041; 2) Approve plans and specifications for the Street Reconstruction Summer 2011 Project, Specification No. 91040; 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 2011 Project is within the Engineer's Estimate of \$940,000; and 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 2011 Project is within the Engineer's Estimate of \$1,245,400.

C4. HIGHLAND STORM DRAIN REPAIR AND REPLACEMENT, SPECIFICATION NO. 91035. (WALTER/GUZMAN)

RECOMMENDATION: 1) Approve plans and specifications for the Highland Storm Drain Repair and Replacement Project, a Measure Y – ½ cent sales tax funded project, Specification No. 91035. 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 \$355,000.

C5. MILLS ACT CONTRACT FOR THE HISTORIC CHARLES JOHN KELLY HOUSE (CHCMA 4-11). (MANDEVILLE/DAVID)

RECOMMENDATION: As recommended by the Cultural Heritage Committee (CHC), adopt a resolution approving a Mills Act contract for the historic Charles John Kelly house located at 1352 Pacific Street.

C6. MILLS ACT CONTRACT FOR THE HISTORIC CHANNEL COMMERCIAL WHOLESALE COMPANY BUILDING (CHCMA 123-10). (MANDEVILLE/DAVID)

RECOMMENDATION: As recommended by the Cultural Heritage Committee (CHC), adopt a resolution approving a Mills Act contract for the historic Channel Commercial Wholesale Company building located at 1880 Santa Barbara Avenue.

C7. MILLS ACT CONTRACT FOR THE HISTORIC LOUISIANA CLAYTON DART HOUSE (CHCMA 11-11). (MANDEVILLE/LEVEILLE)

RECOMMENDATION: As recommended by the Cultural Heritage Committee (CHC), adopt a resolution approving a Mills Act contract for the historic Louisiana Clayton Dart house located at 1318 Pacific Street (CHCMA 11-11).

C8. ANDREWS CREEK PHASE II IMPROVEMENTS 1A AND 2B, SPECIFICATION NO. 90562A. (WALTER/HORN)

RECOMMENDATION: 1) Approve plans and specifications for the Andrews Creek Phase II Improvements 1A and 2B Project, a Measure Y – ½ cent sales tax funded project, Specification No. 90562A. 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 \$320,000.

C9. GRAND AVENUE/HIGHWAY 101 TRAFFIC SIGNAL INSTALLATION, SPECIFICATION NO. 90876. (WALTER/CRISP)

RECOMMENDATION: 1) Approve the plans and specifications for the Grand Avenue/Highway 101 Traffic Signal project, Specification no. 90876. 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 \$225,000.

C10. SANTA ROSA PARK RESTROOM REPLACEMENT PROJECT, SPECIFICATION NO. 90923. (WALTER/FRASER)

RECOMMENDATION: Award contract to Nick E. Pokrajac Inc. of Templeton, California, in the amount of \$293,074.04 for Santa Rosa Park Restroom Replacement, Specification No. 90923, and authorize the Mayor to execute the agreement.

C11. REGULATORY AND LEGAL SERVICES RELATED TO SAN LUIS OBISPO CREEK WATER QUALITY REGULATIONS. (MATTINGLY/HIX)

RECOMMENDATION: 1) Approve an agreement with Larry Walker Associates for completion of the Municipal and Domestic beneficial use Use Attainability Analysis and development of a draft trihalomethane site specific objective for an amount not to exceed \$141,200; 2) Approve funding for Somach, Simmons & Dunn for legal services related to water quality regulations for an amount not to exceed \$50,700; and 3) Authorize the use and transfer of \$115,900 from the sewer fund general carryover account to the wastewater administration contract services account to fund these consulting services.

C12. ORDINANCE AMENDING THE ZONING MAP FOR PROPERTIES LOCATED AT 1445, 1443 AND 1433 CALLE JOAQUIN (R 70-10). (MANDEVILLE/RICCI)

RECOMMENDATION: Adopt Ordinance No. 1561 (2011 Series), which amends the zoning designation from Tourist-Commercial (C-T) to Service-Commercial with Special Considerations overlay zone (C-S-S) for the properties located at 1445, 1443 and 1433 Calle Joaquin.

C13. INFORMATION TECHNOLOGY 2011-16 STRATEGIC PLAN. (BRADLEY/SCHMIDT)

RECOMMENDATION: Award a contract to NexLevel Information Technology, Inc. for consultant services for a five-year Information Technology (IT) Strategic Plan and authorize the City Manager to execute the contract totaling \$34,780

C14. RESOLUTION OF INTENTION TO APPROVE A FRANCHISE AGREEMENT WITH CONOCO-PHILLIPS PIPELINE COMPANY FOR PIPELINES LOCATED WITHIN THE CITY'S RIGHT-OF-WAY. (LICHTIG/CODRON)

RECOMMENDATION: Adopt a resolution of intention to approve a franchise agreement with Conoco-Phillips and schedule a public hearing on June 7, 2011, to allow for public comment on the agreement.

BUSINESS ITEMS

1. **INTRODUCTION OF NIGHTTIME CURFEW ORDINANCE.** (LINDEN/GILLHAM – 45 MINUTES)

RECOMMENDATION: Introduce an ordinance adding Chapter 9.50 to the San Luis Obispo Municipal Code prohibiting minors under 18 years of age from being in public places from 11:00 p.m. to 5:00 a.m. daily unless engaged in certain types of activities (Nighttime Curfew).

2. **NEIGHBORHOOD WELLNESS MAJOR CITY GOAL.** (MANDEVILLE/LINDEN – 45 MINUTES)

RECOMMENDATION: Review the revised Neighborhood Wellness Major City Goal work program for inclusion in the 2011-2013 Financial Plan and provide direction to staff if modifications are desired.

3. **RAILROAD SAFETY TRAIL AND PREFUMO CREEK BRIDGE PROJECT UPDATES.** (WALTER/MANDEVILLE/VAN BEVEREN – 45 MINUTES)

RECOMMENDATION: 1) Direct staff to continue its efforts on the alternative alignment designs for the Railroad Safety Trail, pursuing approval from the State of California and utilizing City right-of-way where possible; 2) Direct staff to begin preparation of plans and specifications for the Los Osos Valley Road alternative for the Prefumo Creek Bridge Safe Route to School project.

4. **UTILITIES DEPARTMENT STRATEGIC LONG-RANGE PLAN.** (MATTINGLY – 30 MINUTES)

RECOMMENDATION: Receive and file.

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.