

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF SAN LUIS OBISPO
TUESDAY, MAY 16, 2006 – 6:45 P.M.
COUNCIL CHAMBER, 990 PALM STREET
SAN LUIS OBISPO, CALIFORNIA

CALL TO ORDER: Mayor Romero called the meeting to order at 6:45 P.M.

ROLL CALL:

Council Members

Present: Council Members Paul Brown, John Ewan, Christine Mulholland, Vice Mayor Allen Settle and Mayor Dave Romero

City Staff:

Present: Ken Hampian, City Administrative Officer; Jonathan Lowell, City Attorney; Elaina Cano, Deputy City Clerk; Shelly Stanwyck, Assistant City Administrative Officer; John Mandeville, Community Development Director; John Callahan, Fire Chief; John Moss, Utilities Director; Jay Walter, Public Works Director; Austin O'Dell, Transit Manager; Gary Henderson, Water Division Manager; Pam Ricci, Interim Deputy Director of Community Development; Tim Bochum, Deputy Director of Public Works; Michael Codron, Associate Planner

CLOSED SESSION

City Attorney Lowell announced the following Closed Session topic, following which Council adjourned to the Closed Session in the Council Hearing Room.

CONFERENCE REGARDING PROPERTY NEGOTIATIONS

Pursuant to Government Code § 54956.8

Property: 614 Monterey Street, APN 002-412-012

Negotiating Parties:

City of San Luis Obispo: Jonathan Lowell, Tim Bochum

Landowner: Greenaway

Negotiations: Consideration of property purchase

Following the Closed Session, **City Attorney Lowell** stated that the Conference with the Agency Negotiators was held. Council provided direction to its negotiators. No further reportable action was taken at this time.

PRESENTATIONS

Fire Chief Callahan introduced new City of San Luis Obispo Firefighters Geovoni S. Gabriele and David C. Parker.

Public Works Director Walter introduced new Public Works employees Ruben Borjas, Streets Maintenance Worker II; Corey Byler, Streets Maintenance Worker III; Dennis

Carvalho, Parks Maintenance Worker I; and Mark Sadowski, Building Maintenance Worker III.

Mayor Romero presented a proclamation to Public Works Director Walter and Utilities Director Moss recognizing May 21-27, 2006, as National Public Works Week.

PUBLIC COMMENT

Rev. Nathan Knowles, San Luis Obispo, expressed his concerns regarding the homeless issues in San Luis Obispo.

Terry Mohan, San Luis Obispo, discussed his opposition to the proposed traffic light for Broad Street and Pacific Street.

Sifu Kelvin-Harrison, San Luis Obispo, discussed his continuing concerns regarding personal harassment.

Gary Fowler, San Luis Obispo, discussed his opposition to possible sales tax increases.

CONSENT AGENDA

Council Member Mulholland stated that she will oppose item C5, Extension of Exclusive Negotiating Agreement with Westpac regarding Parking Lot No. 2.

Council Member Brown stated that he will recuse himself from item C5, Extension of Exclusive Negotiating Agreement with Westpac regarding Parking Lot No. 2.

ACTION: Moved by Ewan/Settle to approve the Consent Agenda items as indicated below.

C1. MINUTES OF MAY 2, 2006, REGULAR MEETING.

ACTION: Moved by Ewan/Settle to waive oral reading and approve with amendments (see red file memo on file in the City Clerk's office); motion carried 5:0.

C2. RESOLUTION TO AUTHORIZE THE CITY OF SAN LUIS OBISPO TO APPLY FOR FEDERAL TRANSIT FUNDS.

ACTION: Moved by Ewan/Settle to adopt Resolution No. 9795 (2006 Series) authorizing the designation of the Public Works Director as the official City applicant for federal transit funds; motion carried 5:0.

C3. WATER RECLAMATION FACILITY DIGESTER #2 - REPAIR AND PAINT, SPECIFICATION NO. 90611B.

ACTION: Moved by Ewan/Settle to: 1) Approve plans and specifications for "Water Reclamation Facility Digester #2 - Repair and Paint, Specification No. 90611B." 2) Authorize staff to advertise for bids and authorize the CAO to award the contract if the lowest responsible bid is within the engineer's estimate of \$150,000; motion carried 5:0.

C4. SAN LUIS DRIVE WATERLINE REPLACEMENT PROJECT, SPECIFICATION NO. 90235.

ACTION: Moved by Ewan/Settle to: 1) Approve the plans and specifications for the "San Luis Drive Waterline Replacement Project," Specification No. 90235. 2) Authorize Staff to advertise for bids and authorize the CAO to award the contract if the lowest responsible bid is within the Engineer's Estimate. 3) Accelerate funding in the amount of \$187,250 from the Distribution System Improvements Account in 2006-07 to 2005-06 in order to fund this project; motion carried 5:0.

C5. EXTENSION OF EXCLUSIVE NEGOTIATING AGREEMENT WITH WESTPAC REGARDING PARKING LOT NO. 2.

ACTION: Moved by Ewan/Settle to authorize the Mayor to execute a Second Amendment to Exclusive Negotiating Agreement extending the term of the negotiation period set forth in the August 23, 2005, Exclusive Negotiating Agreement through September 9, 2006; motion carried 3:1:1 (Mulholland opposed/Brown recused).

C6. ENVIRONMENTAL SERVICES FOR THE TANK FARM GRAVITY SEWER, FORCE MAIN AND LIFT STATION PROJECT.

ACTION: Moved by Ewan/Settle to approve an Agreement with Morro Group, Inc., in the amount of \$42,000 for environmental services for the Tank Farm Gravity Sewer, Force Main and Lift Station Project; motion carried 5:0.

C7. CITY SPONSORSHIP OF HUNGER DINNER BENEFIT.

ACTION: Moved by Ewan/Settle to approve the use of the City name among the sponsors of the Hunger Dinner Benefit to be held on May 23, 2006; motion carried 5:0.

PUBLIC HEARINGS

1. TRANSIT SERVICE REVISIONS.

Public Works Director Walter and Transit Manager O'Dell presented the staff report and responded to questions.

Mayor Romero opened the public hearing.

None.

Mayor Romero closed the public hearing.

ACTION: Moved by Settle/Ewan to adopt Resolution No. 9796 (2006 Series) to: 1) Reinstate City Bus Route 1 between Christmas Day and New Year's Day. 2) Reinstate regular service on Presidents' Day; motion carried 5:0.

BUSINESS ITEMS

2. WATER TREATMENT PLANT MASTER PLAN IMPROVEMENTS.

Utilities Director Moss and Water Division Manager Henderson presented the staff report and responded to questions.

Public Comments

None.

---end of public comments---

ACTION: Moved by Brown/Mulholland to authorize the Mayor to execute the agreement with Stanek Constructors, Inc. for construction of the Water Treatment Plant Improvement Project, Specification No. 90225C, in the amount of \$12,130,858 and increase the total project budget from \$13,406,800 to \$16,776,400; motion carried 5:0.

3. RECONSIDERATION OF THE PLANNING COMMISSION RECOMMENDATION TO EXPAND FROM THREE YEARS TO EIGHT YEARS THE INTERVALS USED IN THE RESIDENTIAL GROWTH MANAGEMENT ORDINANCE PHASING SCHEDULE.

Community Development Director Mandeville and Associate Planner Codron presented the staff report and responded to questions.

Public Comments

Andrew Carter, San Luis Obispo, reiterated comments he made at the May 2, 2006, Council meeting supporting the CAO recommendation.

John French, San Luis Obispo, opposed the recommendation. He suggested delaying any action for at least one year.

Terry Simons, San Luis Obispo, spoke in support of the recommendation. He said he represented the Damon Garcia family. Mr. Simons discussed an option using the specific plans, charts and phasing schedule.

---end of public comments---

Vice Mayor Settle explained that he asked that this item be reconsidered because he believed the Planning Commission's request to investigate the Residential Growth Management Ordinance phasing schedule is a reasonable one. He was in support of trying to retain the policies, while allowing some flexibility for long term financing.

Council Members Ewan and Mulholland expressed their opposition to the Planning Commission's recommendation for reasons they raised at the previous meeting.

Mayor Romero spoke in support of the Planning Commission's recommendation because of the concerns in the community regarding lack of housing.

ACTION: Moved by Settle/Brown to direct staff to analyze changes to the Residential Growth Management Ordinance phasing schedule and report back to the Planning Commission and Council with options and a recommended action; motion carried 3:2 (Mulholland/Ewan opposed).

4. CANCELLATION OF AUGUST 1 AND NOVEMBER 7, 2006, REGULAR CITY COUNCIL MEETINGS.

Chief Administrative Officer Hampian presented the staff report and responded to questions. CAO Hampian recommended canceling the July 5, 2006, meeting and holding a meeting on August 1, 2006.

A brief discussion ensued during which the Council, by consensus, agreed with the CAO's recommendation.

Public Comments

None.

---end of public comments---

ACTION: Moved by Mulholland/Settle to cancel the regular City Council meeting of Wednesday, July 5, 2006, and Tuesday, November 7, 2006; motion carried 5:0.

STUDY SESSION

5. PROPOSED PLANS FOR A NEW ART CENTER.

Community Development Director Mandeville referenced an article printed in The Tribune that stated that the Council would not be discussing the topics of design and scale. He confirmed those topics would be addressed in the presentation.

Interim Deputy Director of Community Development Ricci presented the staff report. She then introduced Whitney McIlvaine, Temporary Assistant Planner, Karen Kile, Art Center Executive Director, Bruce Fraser, Building Trustee and Wayne Barcelon and Darlene Jang, Barcelon + Jang Design Architects from San Francisco, who then made the presentation and responded to questions.

Public Comments

Ken Schwartz, San Luis Obispo, supported the proposed Art Center design. He also shared photos of artistic bridges and other landmark buildings from different cities. Mr. Schwartz suggested Council allow architecture that represents the current time and function in the Downtown area.

---end of public comments---

Council Members Brown and Ewan, and Vice Mayor Settle spoke in support of the new Art Center.

Council Member Mulholland and Mayor Romero spoke in opposition to the architecture, however they are in favor of moving ahead with the process.

ACTION: Moved by Settle/Brown to conceptually approve the adjustments to lot lines and needed setbacks, as well as building siting within Mission Plaza. The majority of the Council conceptually supported the building form and scale as presented; motion carried 5:0.

COUNCIL LIAISON REPORTS

Mayor Romero reported on his attendance at the May 3rd, San Luis Obispo Regional Transit Authority meeting, Chamber of Commerce Spring Legislative Trip to Sacramento (also

attended by Vice Mayor Settle), and the South Street Traffic Safety meeting (also attended by Council Member Ewan).

Council Member Ewan reported on his attendance at the Student Community Liaison Committee meeting. He also recognized Todd Mackey as the new Cal Poly ASI Student Body President.

Council Member Mulholland reported on her attendance at the May 3rd, Water Resources Advisory Committee and Human Relations Commission meetings; May 9th, San Luis Obispo Downtown Association meeting; and May 10th, Integrated Waste Management Authority meeting.

COMMUNICATIONS

Council Member Brown introduced Alfredo Castrejon, Cadet, Grizzly Youth Academy, who is job shadowing Council Member Brown.

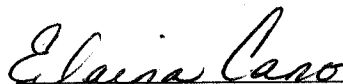
Council Member Mulholland discussed concerns raised by Mr. Mohan in regards to the proposed signal at Broad and Pacific Streets. She asked the Council if they would consider agendaing the review of this signal.

CAO Hampian said that he will provide the Council with a memo about the status of this project.

Vice Mayor Settle discussed his concerns with Madonna Road and Los Osos Valley Road traffic issues.

CAO Hampian will provide a memo to Council with additional information regarding this issue.

There being no further business to come before the City Council, Mayor Romero adjourned the meeting at 9:55 p.m. to Tuesday, June 6, 2006, in the Council Chamber, 990 Palm Street, San Luis Obispo.



Elaina Cano
Deputy City Clerk

APPROVED BY COUNCIL: 06/06/06