

MINUTES
SPECIAL MEETING OF THE CITY COUNCIL
CITY OF SAN LUIS OBISPO
TUESDAY, JANUARY 8, 2008 – 6:30 p.m.
COUNCIL HEARING ROOM, 990 PALM STREET
SAN LUIS OBISPO, CALIFORNIA

ROLL CALL:

Council Members

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

Staff Members

Present: Ken Hampian, City Administrative Officer; Jonathan Lowell, City Attorney; Shelly Stanwyck, Assistant City Administrative Officer; Audrey Hooper, City Clerk; Neil Havlik, Natural Resources Manager

City Attorney Lowell announced the following Closed Session Conferences:

PUBLIC COMMENT ON CLOSED SESSION ITEM

No comments were forthcoming and Council adjourned to the Closed Session.

CONFERENCES REGARDING PROPERTY NEGOTIATIONS

Pursuant to Government Code § 54956.8

PROPERTY: APN 073-281-004
NEGOTIATING PARTIES:
City of San Luis Obispo: Neil Havlik, Jonathan Lowell
Landowner: Fred Glick
NEGOTIATIONS: Possible sale of property, terms and price

PROPERTY: APN 073-371-002, APN 073-261-006 and a portion of APN 073-261-008
NEGOTIATING PARTIES:
City of San Luis Obispo: Neil Havlik, Jonathan Lowell
Landowner: Fred Glick
NEGOTIATIONS: Possible acquisition of property, terms and price

During the Regular Meeting, City Attorney Lowell reported that the Closed Session was held as indicated. Council provided directions to its negotiators. There was no further reportable action.

The Special Meeting adjourned at 6:55 p.m. to a Regular Meeting held in the Council Chamber at 7:00 p.m.

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF SAN LUIS OBISPO
TUESDAY, JANUARY 8, 2008 - 7:00 P.M.
COUNCIL CHAMBER, 990 PALM STREET
SAN LUIS OBISPO, CALIFORNIA

ROLL CALL:

Council Members

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

City Staff:

Present: Ken Hampian, City Administrative Officer; Jonathan Lowell, City Attorney; Audrey Hooper, City Clerk; Shelly Stanwyck, Assistant City Administrative Officer; John Mandeville, Community Development Director; Bill Statler, Finance and Information Technology Director; Monica Irons, Human Resources Director; Deborah Linden, Police Chief; John Callahan, Fire Chief; John Moss, Utilities Director; Jay Walter, Public Works Director; Betsy Kiser, Parks and Recreation Director; Brigitte Elke, Principal Administrative Analyst

City Attorney Lowell announced that the Closed Session was held with its property negotiators as indicated previously. Council provided direction to its real property negotiators. There was no further reportable action at this time.

PRESENTATIONS

PROGRESS REPORT FROM THE SAN LUIS OBISPO COUNTY ECONOMIC VITALITY CORPORATION (EVC).

Michael Manchak, EVC President and CEO, provided an update of the EVC's activities, plans for the future, highlights from the 2008 County Forecast as

contained in the UCSB Economic Forecast Project, challenges of the local economy, and upcoming events. He responded to questions and comments raised by Council.

PUBLIC COMMENT

Steve and Jeanne Secrest, San Luis Obispo, discussed the history of drainage issues on their property as a result of re-grading on the Wilson property in 2003. They asked that the Council direct the City Attorney to authorize removal of all obstructions in the public drainage easement and that a report explaining staff's position on the Andrews/Cazadero public drainage easement be provided to them. (Information distributed by Secrests at the meeting is on file in the City Clerk's office.)

City Attorney Lowell explained that because the issues being raised are related to pending litigation filed by the Secrests, it would not be appropriate to comment publicly at this time. Additionally, this matter cannot be discussed at this meeting because of the Brown Act.

Council Member Settle requested a report on the circumstances that led up to the Secrests' current concerns following completion of litigation.

Council Member Mulholland stated, in the interest of providing full disclosure, that she visited the Secrests' and other properties, and understanding that there is pending litigation, she made no comments.

Ann Ream, Chair of the Art in Public Places Committee of the Arts Council, expressed appreciation to the City for its assistance in ensuring that the new public art piece on the exterior of the County government building became a reality. She invited Council to visit the County building to view this and additional art pieces located inside the building.

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

APPOINTMENTS

A1. APPOINTMENTS TO THE 2008 COUNCIL COMPENSATION COMMITTEE. (ROMERO/HOOPER - 5 MINUTES)

City Clerk Hooper presented the agenda report.

ACTION: Moved by Mulholland/Brown to make appointments as recommended by staff to the Council Compensation Committee, effective immediately and sunsetting upon presentation of its recommendations to the City Council, and direct members to: a) review the full Council compensation package and make

recommendations to the City Council no later than May 1, 2008, and b) review compensation for the Planning Commission and Architectural Review Commission members in conjunction with its review of Council compensation; motion carried 5:0.

CONSENT AGENDA

Mayor Romero called for public comments on the Consent Agenda at this time.

Karen Merriam, Chair of the Santa Lucia Chapter of the Sierra Club, spoke in support of Item C4, Data Needs Assessment for a Greenhouse Gas Emissions Inventory, and commended Council for its leadership.

ACTION: Moved by Mulholland/Brown to approve the Consent Agenda as recommended by the City Administrative Officer; motion carried as indicated below.

C1. APPROVE MINUTES OF DECEMBER 4, 2007, REGULAR MEETING.

ACTION: Moved by Mulholland/Brown to waive the oral reading and approve as revised; motion carried 5:0.

C2. 2007 FIRE PREVENTION AND SAFETY GRANT.

ACTION: Moved by Mulholland/Brown to authorize staff to submit a grant application in the amount of \$21,010 to the Assistance to Firefighter's Grant Fire Prevention and Safety Program for an Enhanced Child Passenger Safety Seat Program; motion carried 5:0.

C3. SENIOR CENTER KITCHEN REMODEL, SPECIFICATION NO. 90749.

ACTION: Moved by Mulholland/Brown to: 1. Approve a purchase order in the amount of \$34,640 with BFGC Architecture for design services for "Senior Center Remodel", Specification No. 90749. 2. Approve the transfer of \$9,640 from the construction account to the design account for these services; motion carried 5:0.

C4. DATA NEEDS ASSESSMENT FOR A GREENHOUSE GAS EMISSIONS INVENTORY FOR THE CITY OF SAN LUIS OBISPO.

ACTION: Moved by Mulholland/Brown to: 1. Authorize staff to work with an intern to prepare a data needs assessment for a greenhouse gas emissions inventory for the City of San Luis Obispo; and 2. Direct staff to schedule for future Council consideration a resolution to join ICLEI (the International Council for Local Environmental Initiatives) and, if warranted, funding to gather more data in order to conduct the inventory; motion carried 5:0.

C5. FINAL ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR TRACT 2490 – A SIX LOT RESIDENTIAL CONDOMINIUM SUBDIVISION LOCATED ON THE WEST SIDE OF BROAD STREET (227) BETWEEN STONERIDGE DRIVE AND SWEENEY LANE. (DAVE BOLDUAN & DALE KING, SUBDIVIDER).

ACTION: Moved by Mulholland/Brown to adopt Resolution No. 9947 (2008 Series) accepting the public improvements, and certifying completion of the required private improvements, and releasing the sureties for Tract 2490; motion carried 5:0.

C6. AUTHORIZATION OF APPLICATION FOR GRANT FUNDS FROM THE ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM (EEMP).

ACTION: Moved by Mulholland/Brown to adopt Resolution No. 9948 (2008 Series) authorizing the City Administrative Officer or his designee to complete and submit an application for grant monies in the amount of \$350,000 from the Environmental Enhancement and Mitigation Program (EEMP) to be used for construction of a wetland, interpretive kiosks, and a minor route addition to a portion of the Bob Jones City to Sea Bike trail; motion carried 5:0.

BUSINESS ITEMS

1. PUBLIC ART POLICY REVIEW AND PROPOSED 2007-09 PROJECTS.

Parks & Recreation Director Kiser introduced this item, following which Finance & IT Director Statler discussed the funding process for the Visual Arts in Public Places Program.

Recreation Manager/Public Arts Coordinator Bates then reviewed the Public Art Policy, the process and criteria for projects proposed for 2007-09 and the recommended projects and their fiscal impacts.

Public Comments

The following people spoke in support of maintaining the existing Public Art Policy:

Ann Ream, Chair of the ArtsObispo's (SLO Arts Council) Art in Public Places Committee

Dick DeLong, Member of the Art in Public Places Committee

Marta Peluso, Executive Director of Arts Obispo,

Jim Jacobson, Member of the Art in Public Places Committee

---end of public comments---

Council discussion ensued during which staff clarified that the funding methodology is simply a benchmark for the level of funding for the Visual Arts in Public Places program and that it does not take funds from other projects.

Council Member Mulholland said she did not want to significantly reduce the public art budget, that she appreciated the exclusion of interior installations of privately funded public art, and that she supported the CAO recommendation.

Council Member Settle also spoke in support of the CAO recommendation.

Vice Mayor Brown and Mayor Romero expressed concern that the existing policy may be confusing to the public and suggested that the formula should be configured so as not to appear to be based on projects that may be construed as maintenance (i.e., street resurfacing, repairing of potholes, etc.).

Mayor Romero asked that as public arts projects are considered, the committees reviewing the projects be asked to exercise caution on choosing art to be installed along busy roadways. He was particularly concerned about art on bridges that do not draw a great deal of pedestrian traffic and that may distract motorists.

ACTION: Moved by Mulholland/Settle to: 1. Receive information regarding the City's present method of allocating the one percent (1%) for public art and retain the current Public Art Policy definitions of eligible projects and costs. 2. Adopt Resolution No. 9949 (2008 Series) amending the Guidelines for Public Art to exclude interior installations of public art in private development. 3. As part of the 2007-09 Financial Plan, approve specific projects for public art funding; motion carried 5:0.

COUNCIL LIAISON REPORTS

Council Member Carter reported on his attendance at the Downtown Association meeting this morning.

Mayor Romero reported on his attendance at the Mayor's meeting. Of particular concern was the State's budget problems.


COMMUNICATIONS

Council Member Settle said he has expressed his concerns to the Local Agency Formation Commission regarding the problems the South County cities are having with water resources and ground water issues. He said the Revenue Tax Committee will be discussing the State budget and cities will need to take a proactive stand urging the State to honor Proposition 1A.

At the request of Council Member Settle, Council concurred to reschedule the February 5th, which is the date of the Primary Election in California, to February 12th.

At the request of Council Member Mulholland, Council directed staff to return with an agenda item considering the elimination of permit fees for the installation of solar panels.

There being no further business to come before the City Council, Mayor Romero adjourned the meeting at 8:48 p.m.



Audrey Hooper
City Clerk

APPROVED BY COUNCIL: 02/12/08

