

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF SAN LUIS OBISPO
TUESDAY, JUNE 16, 2009 - 7:00 P.M.
COUNCIL CHAMBER, 990 PALM STREET
SAN LUIS OBISPO, CALIFORNIA

ROLL CALL:

Council Members

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

City Staff

Present: Ken Hampian, City Manager, Jonathan Lowell, City Attorney, Shelly Stanwyck, Assistant City Manager, and Elaina Cano, Deputy City Clerk, were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

PRESENTATION

Mayor Romero presented a proclamation to Patricia Harris, Executive Director of the SLO Vocal Arts and The California International Choral Festival and Competition, acknowledging June 2009 as San Luis Obispo International Choral Festival Month.

APPOINTMENTS

A1. APPOINTMENT TO THE MASS TRANSPORTATION COMMITTEE (MTC).

ACTION: Moved by Marx/Carter, as recommended by Council Subcommittee Members Jan Marx and Andrew Carter, to appoint Art Apruzzese as the technical representative to the MTC for a term expiring March 31, 2013; motion carried 5:0.

A2. APPOINTMENTS TO ELECTION CAMPAIGN REGULATIONS COMMITTEE.

ACTION: Moved by Ashbaugh/Marx to appoint Christine Mulholland, John Ewan, Dodie Williams, Ty Griffin and Pam Voges, including the alternate, Mike Latner to the Election Campaign Regulations Committee; motion carried 5:0.

PUBLIC COMMENT

Doug Carroll, San Luis Obispo, expressed his concerns regarding bicyclist safety on the Bill Roalman Bicycle Boulevard, specifically the intersection of Buchon and Morro Street.

Carolina Cabrales, San Luis Obispo, expressed her concerns regarding bicyclist safety on the portion of the Bill Roalman Bicycle Boulevard in the intersection of Buchon and Morro Street. She was also displeased with the aesthetics of the project.

Christian Cabrales, San Luis Obispo, expressed his concerns about the safety on the Bill Roalman Bicycle Boulevard.

Public Works Director Walter responded to Council's and the public's concerns and clarified that this project is not complete.

Council discussion ensued during which City Manager Hampian informed Council that staff will continue to look into the concerns addressed above and keep Council updated.

Mary Bianchi, Program Advisor for the Master Gardener's Program (Cal Poly), gave an overview of the Master Gardener's demonstration which was held on June 11th. She also presented Council with gardening journals and tomato plants.

CONSENT AGENDA

Council concurred to pull Item C10 from the Consent Agenda for discussion.

Mayor Romero called for public comments.

Adam Fukushima, Bicycle Coalition, spoke in support of staff's recommendations regarding the Grand Jury Report on Bicycling.

End of Public Comments

ACTION: Moved by Carter/Ashbaugh to approve the Consent Agenda as indicated below.

C1. MINUTES OF APRIL 14, APRIL 21, MAY 19, AND JUNE 2, 2009.

ACTION: Moved by Carter/Ashbaugh to waive oral reading and approve as presented with modifications to the April 21, 2009, Council meeting minutes; motion carried 5:0.

C2. BIENNIAL REVIEW OF ADVISORY BODY BYLAWS.

ACTION: Moved by Carter/Ashbaugh to adopt Resolution No. 10096 (2009 Series) amending advisory body bylaws to: 1. Include residency requirements as indicated below. 2. Waive the residency requirements for the Mass Transportation Committee technical and Cal Poly representatives. 3. Make other minor modifications as indicated in the Agenda Report; motion carried 5:0.

C3. AWARD OF CONTRACT AGREEMENTS FOR LANDSCAPE MAINTENANCE SERVICES, SPECIFICATION NO. 90897.

ACTION: Moved by Carter/Ashbaugh to: 1. Award and execute a contract with Tennis Landscape Corporation in the amount of \$167,232 for landscape maintenance services for Categories A and E. 2. Award and execute a contract with Earthscapes in the amount of \$91,658 for landscape maintenance services for Categories B, C and D. 3. Award and execute a contract with Estate Landscapes in the amount of \$24,700 for landscape maintenance services for Category F. 4. Approve the use and transfer of \$4,000 from the Unallocated Parking Fund Balance for Landscape Maintenance Contract Services; motion carried 5:0.

C4. REQUEST FOR PROPOSALS – DISPATCH CENTER CONSOLE FURNISHINGS.

ACTION: Moved by Carter/Ashbaugh to approve the request for proposals (RFP) for the new dispatch center console furnishings and authorize the City Manager to award the contract if within the budget of \$140,000; motion carried 5:0.

C5. RESPONSE TO 2008-09 GRAND JURY REPORT ON BICYCLING.

ACTION: Moved by Carter/Ashbaugh to direct the City Manager to submit the letter of response to the report as required by the Grand Jury; motion carried 5:0.

C6. SKATE PARK ORDINANCE.

ACTION: Moved by Carter/Ashbaugh, as recommended by the Parks and Recreation Commission, to introduce Ordinance No. 1530 (2009 Series) to amend the Municipal Code to include a new Section 12.20.140 requiring any person riding a permitted coasting device at Santa Rosa Park Skateboard Park to wear a helmet, elbow pads and knee pads; motion carried 5:0.

C7. STREET PAVER AND ROLLER EQUIPMENT PURCHASE.

ACTION: Moved by Carter/Ashbaugh to: 1. Approve a sole source purchase in the amount of \$128,792 for one Bomag model BF815LPH Paver and \$49,290 for one Dynapac model CC122 pavement roller. 2. Authorize the Finance Director to execute a purchase order in the amount of \$178,082 to Great West Equipment, Inc; motion carried 5:0.

C8. COUNTY ANIMAL SERVICES CONTRACT EXTENSION.

ACTION: Moved by Carter/Ashbaugh to approve an amendment to the agreement with the County of San Luis Obispo for the provision of Animal Control Services from July 1, 2009, to September 30, 2009, in the amount of \$50,064 and authorize the Mayor to execute the contract; motion carried 5:0.

C9. APPROPRIATIONS LIMIT FOR 2009-10.

ACTION: Moved by Carter/Ashbaugh to adopt Resolution No. 10097 (2009 Series) establishing the City's appropriations limit for 2009-10; motion carried 5:0.

Item C10 was pulled and considered following action on the other Consent Agenda items.

C10. SUPPORT FOR MOSQUITO, VECTOR AND DISEASE CONTROL ASSESSMENT.

Council discussion ensued by which the majority of Council spoke in support of the assessment.

ACTION: Moved by Carter/Ashbaugh to support formation of the mosquito, vector and disease control assessment by authorizing the City Manager to vote in favor of the assessments for City-owned properties; motion carried 4:1 (Settle opposed).

PUBLIC HEARINGS

1. 2009-11 FINANCIAL PLAN.

A. MASTER FEE SCHEDULE UPDATE.

City Manager Hampian introduced this item, following which Finance and Information Technology Director Statler presented the agenda report, reviewed the preliminary budget changes and responded to questions.

Police Chief Linden requested to add an additional special Council meeting on September 29, 2009, to preview and seek direction on a comprehensive program identifying strategies for addressing noise violations and proposed new efforts in enforcement.

Council concurred with Police Chief Linden's request to hold a special meeting on Tuesday, September 29, 2009.

In regards to the Parking Fund, Finance and Information Technology Director Statler recommended to defer the non-core meter rate increases, which were scheduled for July 1, 2009, to July 1, 2010. In addition, staff will revise the first year (2009-10) revenues accordingly. The increase in core meter rates of \$1.00 per hour to \$1.25 per hour will still be effective as of July 1, 2009, with recognition that in Spring of 2010 staff will report back to Council with an evaluation of the revenue "best practices" identified in the rate review.

Public Works Director Walter concurred with Mr. Statler's recommendation.

Moved by Marx/Ashbaugh to defer the non-core meter rate increases, which were scheduled for July 1, 2009, to July 1, 2010. In addition, staff will revise the first year (2009-10) revenues accordingly. The increase in core meter rates of \$1.00 per hour to \$1.25 per hour will still be effective as of July 1, 2009, with recognition that in Spring of 2010 staff will report back to Council with an evaluation of the revenue "best practices" identified in the rate review; motion carried 5:0.

Mayor Romero expressed his concerns about the Golf Fund report, which addresses an evaluation of the revenue "best practices" along with the possibility of selling beer and wine via a concessionaire and formation of formal volunteer fund raising group, being brought to Council in Spring 2010. He suggested that this report come back to Council at an earlier date.

Parks and Recreation Director Kiser clarified that this recommendation could be brought back to Council by winter quarter 2009.

Mayor Romero opened the public hearing.

Steve Barasch, San Luis Obispo, discussed his observations and concerns with the budget process.

Leslie Halls, spoke in opposition of the budget process and concurred with previous speakers concerns.

Mayor Romero closed the public hearing.

Council and City Manager Hampian responded to public comments.

ACTION: Moved by Carter/Marx to adopt Resolution No. 10098 (2009 Series) updating the City's master fee schedule; motion carried 4:1 (Settle opposed).

Council Member Carter stated that the majority of the fees are in the building and planning process. In addition, all of the fee increases are based upon the Cost of Services Study that was done to insure the fees reflect accurately the cost of the City to provide services.

Vice Mayor Settle spoke in opposition of the Cost of Services Study. He also expressed his concerns regarding the magnitude of the level of fee increases to do business within the City.

B. ADOPTION OF 2009-11 FINANCIAL PLAN.

City Manager Hampian introduced this item in conjunction with the Master Fee Schedule, which Finance and Information Technology Director Statler presented the agenda report and responded to questions.

Mayor Romero opened the public hearing.

There was no public comment.

Mayor Romero closed the public hearing.

ACTION: Moved by Carter/Marx to adopt Resolution No. 10099 (2009 Series) approving the 2009-11 Financial Plan and 2009-10 Budget; motion carried 4:1 (Settle opposed).

A brief discussion ensued, during which the majority of the Council expressed their appreciation to staff for their efforts during the budget process.

City Manager Hampian concurred with Council and expressed his gratitude to the Council, as well.

COUNCIL LIAISON REPORTS

Council Member Marx, reported on her attendance at the SLOCOG and SLORTA meeting.

Mayor Romero, reported on his meeting with United Pacific Railway on June 3rd and the Mayor's meeting on June 12th.

Council Member Ashbaugh reported on his attendance with Mayor Romero and Vice Mayor Settle at the Chamber of Commerce Tour in Sacramento.

COMMUNICATIONS

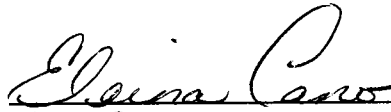
Council Member Carter mentioned that he hiked Johnson Ranch and encouraged others to do so, as well.

Vice Mayor Settle submitted a copy of a resolution to Mayor Romero in regards to authorizing the City Attorney to cooperate with the League of California Cities, other cities, and counties in litigation challenging the constitutionality of any seizure by State government of the City's Street Maintenance Funds.

City Attorney Lowell confirmed that the resolution mentioned by Vice Mayor Settle will be on the July 7, 2009, Council agenda.

Council Member Marx mentioned that she also hiked Johnson Ranch and expressed her appreciation to staff for their work in completing this project.

There being no further business to come before the City Council, Mayor Romero adjourned the meeting at 9:08 p.m.



Elaina Cano
Interim City Clerk

APPROVED BY COUNCIL: 07/21/09