

MINUTES
SPECIAL AND REGULAR MEETINGS OF THE CITY COUNCIL
CITY OF SAN LUIS OBISPO
TUESDAY, SEPTEMBER 15, 2009
COUNCIL CHAMBER, 990 PALM STREET
SAN LUIS OBISPO, CALIFORNIA

4:00 P.M. – SPECIAL MEETING

ROLL CALL:

Council Members

Present: Council Members Andrew Carter, Jan Howell Marx, Vice Mayor Allen K. Settle and Mayor Dave Romero were present at roll call.

Council Member John Ashbaugh was seated at the dais at 4:56 p.m.

City Staff

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

BUSINESS ITEMS

1. 2008 GENERAL PLAN ANNUAL REPORT.

Community Development Director Mandeville introduced this item, following which Deputy Director Long Range Planning Murry presented the agenda report and responded to questions.

Public Comments

There were no public comments forthcoming.

---end of public comments---

ACTION: Moved by Settle/Carter to: 1. Accept the Annual report. 2. Direct staff to return with changes to growth management ordinance including vesting of residential allocations when OASP comes forward for Council consideration in Spring 2010. 3. Direct staff to return with zone change to add an "S" overlay to Auto Park Way properties. 4. Direct staff to evaluate LUE policy 1.4 (Jobs-Housing) as part of the General Plan update process envisioned to begin in June 2010; motion carried 4:0, (Ashbaugh absent)

2. GREENHOUSE GAS EMISSIONS INVENTORY PRESENTATION.

Community Development Director Mandeville introduced this item, following which Deputy Director Long Range Planning Murry, Cal Poly graduate student Geoffrey Chiapella, and Finance and Information Technology Director Statler presented the agenda report and responded to questions.

Public Comments

Fred Flannell, San Luis Obispo, spoke about global warming and the effects of greenhouse gases.

Steve Devencenzi, SLOCOG Planning Director, responded to Council questions.

---end of public comments---

ACTION: Moved by Marx/Ashbaugh to receive the Greenhouse Gas Emissions Inventory Report for the City of San Luis Obispo and update on the Climate Action Plan/AB 811 Goal; motion carried 5:0.

3. CONSERVATION PLAN FOR STENNER SPRINGS NATURAL RESERVE.

Assistant City Manager Stanwyck introduced this item, following which Natural Resources Manager Havlik presented the agenda report and responded to questions.

Public Comments

Dan Palmer, Co-Founder FRASTA, spoke in support of the project and discussed.

Greg Bentancourt, Director of Central Coast Concerned Mountain Bikers, spoke in support of the project.

Joe O'Donnell spoke in support of the project.

Clint Edwards, San Luis Obispo, spoke in favor of the project.

---end of public comments---

At the inquiry of Council, a number of citizens raised their hands in support of the project.

By consensus, Council agreed to continue this item to the 7:00 p.m. regular meeting.

ACTION: Moved by Settle/Carter to, as recommended by the Planning Commission and the Parks and Recreation Commission: 1. Approve Resolution No. 10113 (2009 Series) adopting the Conservation Plan for Stenner Springs Natural Reserve as amended. 2. Approve a Mitigated Negative Declaration of environmental impact for the Plan.

The special meeting adjourned at 6:45 p.m.

Mayor Romero called the Regular meeting to order at 7:15 p.m. All Council Members were present.

PLEDGE OF ALLEGIANCE

Council renewed its discussion regarding the Conservation Plan for Stenner Springs Natural Reserve.

A vote was then taken on the motion made previously. (3:2, Ashbaugh/Marx opposed)

INTRODUCTION

Finance and Information Technology Director Statler introduced a new employee to his department, Rachel Messner, Administrative Analyst.

PRESENTATION

Mayor Romero presented a proclamation to Morgen Marshall, Rideshare Program Manager, recognizing October 2009 Rideshare Month in the City of San Luis Obispo.

Director of Public Works Walter announced that the City's Traffic Operations Program received a Public Achievement Award of Excellence from the Institute of Transportation Engineers.

PUBLIC COMMENT

Paul Bonjour, San Luis Obispo, discussed his concerns about Laguna Lake and sign ordinance.

Doug Carroll, San Luis Obispo, discussed his concerns about the Buchon/Morro area of the Bill Roalman Bike Blvd.

Council directed staff to include in the 2010 Annual Traffic Safety Report an update on the section of Morro and Buchon Street of the Bill Roalman Bike Boulevard, This update should include overall safety, accessibility to safety vehicles and aesthetics.

Carolina Cabrales, San Luis Obispo, discussed her concerns about the safety on the Bill Roalman Bike Blvd. section of Buchon and Morro.

Eric Vien, San Luis Obispo, San Luis Obispo, discussed her concerns about the safety on the Bill Roalman Bike Blvd. section of Buchon and Morro.

Dan Rivoire, San Luis Obispo, SLO Bike Coalition, spoke in support of the Bike Boulevard.

Katrina Schawel, announced that Coastal Community Clean Up Day will take place on Saturday, September 20, 2009.

CONSENT AGENDA

Public Comment:

John Summer, Executive Director of the San Luis Obispo County Visitors and Conference Bureau, spoke in support of Item C3.

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

C1. FINAL ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR TRACT 2808 - A TEN UNIT RESIDENTIAL CONDOMINIUM SUBDIVISION AT 153 STENNER STREET (OCEAN RIDGE DEVELOPMENT GROUP, LLC).

ACTION: Moved by Ashbaugh/Settle to adopt Resolution No. 10114 (2009 Series) accepting the public improvements, certifying completion of the required private improvements, and releasing the outstanding sureties for Tract 2808; motion carried 5:0.

Council Member Marx stated for the record that the only reason she voted against the Plan was that the free-riding bicycle skills course was, in her judgment, active, not passive, recreation and therefore should be only allowed in parks, not in open space areas. Council Member Ashbaugh concurred.

C2. ANNUAL REPORT FOR THE TOURISM BUSINESS IMPROVEMENT DISTRICT.

ACTION: Moved by Ashbaugh/Settle to: 1. Receive and approve the Tourism Business Improvement District (TBID) Board's annual report. 2. Adopt Resolution No. 10115 (2009 Series), a resolution of intention to levy and collect assessments within the TBID area in fiscal year in 2009-10 at the same rate as in fiscal year 2008-09; motion carried 5:0.

C3. REGIONAL MARKETING CONTRACT FOR THE TOURISM BUSINESS IMPROVEMENT DISTRICT.

ACTION: Moved by Ashbaugh/Settle to: 1. As recommended by the Tourism Business Improvement District Board, award a contract for Regional Marketing Services to the San Luis Obispo County Visitors & Conference Bureau. 2. Authorize the Mayor to execute the contract; motion carried 5:0.

C4. GRANT AGREEMENT WITH THE NATURE CONSERVANCY OF CALIFORNIA IN SUPPORT OF THE FROOM RANCH ACQUISITION PROJECT.

ACTION: Moved by Ashbaugh/Settle to: 1. Adopt Resolution No. 10116 (2009 Series) accepting a \$100,000 grant and approving an Agreement with the Nature Conservancy of California regarding use of those funds. 2. Authorize the City Manager to execute the Agreement with the Nature Conservancy and any other necessary documents to comply with terms of the Agreement; motion carried 5:0.

BUSINESS ITEMS

4. 2008 ANNUAL TRAFFIC SAFETY REPORT.

Public Works Director Walter introduced this item, following which Deputy Public Works Director Bochum, Senior Traffic Engineer Hudson, and Police Chief Linden presented the agenda report and responded to Council questions.

Public Comments

There were no public comments forthcoming.

---end of public comments---

Council commended the Police staff and Public Works staff for a well presented report.

ACTION: Council reviewed and discussed the 2008 Annual Traffic Safety Report and associated mitigation strategies.

5. BIENNIAL TRAFFIC OPERATIONS REPORT.

Public Works Director Walter introduced this item, following which Deputy Public Works Director Bochum and Senior Traffic Engineer Hudson presented the agenda report and responded to Council questions.

Public Comments

There were no public comments forthcoming.

---end of public comments---

ACTION: Moved by Settle/Marx to approve the 2009 Biennial Traffic Operations Report and associated mitigation strategies; motion carried 5:0.

Council recessed at 9:05 p.m. and reconvened at 9:15 p.m. with all members present.

6. **LAGUNA VILLAGE SHOPPING CENTER ACCESS IMPROVEMENT REQUESTS.**

Public Works Director Walter introduced this item, following which Deputy Public Works Director Bochum and Senior Traffic Engineer Hudson presented the agenda report.

Kristie Molina, Laguna Village Shopping Center (LVSC) owner, spoke on behalf of the project. She disagreed with staff's review and expressed concern regarding the left turn access, traffic backup, necessity of traffic light and pedestrian crossing at the Madonna/Pereira entrance into the Center. Ms. Molina offered to pay for the entire cost of the construction of the requested traffic improvements.

Dick Poole, Associated Transportation Engineers, reviewed an analysis he performed, at the request of the LVSC owners, regarding the traffic/safety concerns and applicant proposed improvements.

Scott Schnell, Associated Transportation Engineers, discussed the Traffic Signal Warrant analysis and presented a traffic signal simulation. Mr. Schnell responded to Council questions and confirmed that City staff had not seen nor reviewed the information he presented before the Council meeting.

Randy Poltl, LVSC Property Manager, spoke in support of the installation of a traffic light at Madonna Road and Pereira and additional traffic improvements.

Public Comments

Frank Brown, San Luis Obispo, spoke about his concerns regarding traffic in the Madonna Road/Periera area and offered alternative solutions.

Jan William Simek, San Luis Obispo, spoke about his concerns regarding traffic in the Madonna Road/Periera area and offered alternative solutions.

Paul Poirier, Architect for LVSC, discussed pedestrian access to LVSC.

Gary Fowler, San Luis Obispo, spoke about his concerns regarding traffic around LVSC.

Mary Ann Riley, President of de Tolosa Home Owners' Association, spoke in support of staff's recommendation.

The following Community Members spoke in support of the construction of a new traffic light at Madonna Road and Pereira:

April Peet, April Flowers owner and Laguna Lake resident.

Darren Nichols, Subway owner.

Ron Tyni, Upper Crust Trattoria owner.

Elaine Truong, Mandarin Gourmet owner.

John Hayes, San Luis Obispo.

Paul Dahan, San Luis Obispo.

John Spencer, Spencer's Market owner.

Terry Schubert, representative of the Molina's. Mr. Schubert recieved a petition of 1800 citizens in support of the traffic light. Neither this petition nor a copy was submitted to City staff.

---end of public comments---

Public Works Director Walter and Deputy Director Bochum responded to information presented by the applicant and additional Council questions.

At the request of Council Member Ashbaugh, Police Chief Linden explained the process of issuing citations to motorists making a left hand turn into the LVSC from Madonna Road.

Move by Marx/Ashbaugh to continue the meeting past 11:00 p.m. motion carried 5:0.

Vice Mayor Settle discussed his concerns with pedestrian safety and traffic impacts. Mr. Settle spoke in support of staff's recommendation in addition to the signalized intersection.

Council Member Ashbaugh spoke in support of staff's recommendation and concerns regarding pedestrian access.

Council Member Marx commended the staff, applicant and public for their dedication to this project. Ms. Marx spoke in support of staff's recommendation.

Council Member Carter discussed the City's objective of safety and the accessibility objective of LVSC. Mr. Carter spoke in support of staff's recommendation. However, he is in favor of restoring the left turn lane into the Center.

Mayor Romero commended both staff and the consultant for their analysis. Mr. Romero discussed his concerns regarding the traffic impacts, viability of the LVSC and pedestrian safety. He also spoke in favor of the implementation of a traffic light at Madonna Road and Pereira with the condition that staff review and is satisfied with the consultant's information regarding traffic movements.

By consensus, Council agreed that staff would need time to review the information presented by the applicant.

Moved by Romero/Settle 1. Approve an action plan to improve access to the Laguna Village Shopping Center (LVSC) and operations of the Madonna/LVSC Driveway intersection. 2. Proceed with the traffic signal installation provided that staff can first verify it is a workable plan, if not, staff will come back to Council with their findings. 3. Accept the owner's offer to pay for the entire cost of the construction of the requested traffic improvements; motion failed 2:3 (Ashbaugh, Carter, and Marx opposed).

ACTION: Moved by Marx/Ashbaugh to: 1. Approve an action plan to improve access to the Laguna Village Shopping Center (LVSC) and operations of the Madonna/LVSC Driveway intersection. 2. Direct staff to work with LVSC's traffic engineers to review information presented at the Council meeting about the signal; and return to Council within 90 days of September 15th (or no later than the December 15th Council meeting) with a recommendation about the signal in light of staff's review of this information and recommendation about the funding; motion carried 5:0.

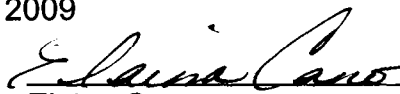
COUNCIL LIAISON REPORTS

None.

COMMUNICATIONS

None.

There being no further business to come before the City Council, Mayor Romero adjourned the meeting at 12:23 a.m.



Elaina Cano
Interim City Clerk

APPROVED BY COUNCIL: 10/20/09