

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF SAN LUIS OBISPO**  
**TUESDAY, OCTOBER 6, 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, Interim City Clerk, were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

---

**INTRODUCTION**

**INTRODUCTION OF NEW PUBLIC WORKS EMPLOYEES, ANDREA MONTES, SUPERVISING ADMINISTRATIVE ASSISTANT, AND RICH FERDOLAGE, PARK MAINTENANCE WORKER II.**

---

**PRESENTATIONS**

**UPDATE ON SAN LUIS OBISPO COUNTY SOLAR RENEWABLE ENERGY AND EFFICIENCY PROJECTS.**

Supervisor Jim Patterson made a presentation about the County's solar renewable energy and efficiency projects.

**EMPLOYEE SERVICE AWARDS.**

Human Resources Director Irons along with Mayor Romero and City Manager Hampian presented awards to City staff for their years of service.

---

**PUBLIC COMMENT**

Eric Meyer, San Luis Obispo, referred to a memo submitted to the Council regarding a "donation park."

Council directed staff to work with Mr. Meyer and requested that this item be placed on a future agenda.

Curtis Reinhardt, San Luis Obispo, spoke about the Central Coast Railroad festivities that will be taking place over the next week.

---

**CONSENT AGENDA**

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

**C1. MINUTES OF SEPTEMBER 1, 2009.**

**ACTION:** Moved by Settle/Marx to waive oral reading and approve as presented; motion carried 5:0.

**C2. AMENDMENT NUMBER 10 TO PUBLIC SAFETY DISPATCH CENTER DESIGN AND CONSTRUCTION ADMINISTRATION AGREEMENT.**

**ACTION:** Moved by Settle/Marx to approve Amendment Number 10 to the Design Services Contract with RRM Design Group for the Public Safety Dispatch Center Design and Construction Project in the amount of \$25,740 and authorize the Mayor to execute said agreement; motion carried 5:0.

**C3. ORDINANCE PREZONING PROPERTY AT 11980 LOS OSOS VALLEY ROAD TO RETAIL COMMERCIAL (C-R) AND CONSERVATION OPEN SPACE (C/OS-5) (GP/R 7-07).**

**ACTION:** Moved by Settle/Marx to adopt Ordinance No. 1534 (2009 Series); motion carried 5:0.

**C4. TICKET/PASS DISTRIBUTION POLICY.**

**ACTION:** Moved by Settle/Marx to adopt Resolution No. 10117 (2009 Series) approving a policy for distribution of tickets and passes to City officials; motion carried 5:0.

**C5. AGREEMENT FOR SERVICES WITH THE ENVIRONMENTAL CENTER OF SAN LUIS OBISPO COUNTY (ECOSLO).**

**ACTION:** Moved by Settle/Marx to approve and authorize the Mayor to execute a two-year services agreement with the Environmental Center of San Luis Obispo County (ECOSLO), in the amount of \$15,000 in each year, for a total of \$30,000, retroactive to July 1, 2009; motion carried 5:0.

**C6. COMMUNITY INFORMATION AND OUTREACH SERVICES FOR THE WATER CONSERVATION AND STORMWATER POLLUTION PREVENTION PROGRAMS – REQUEST FOR PROPOSALS.**

**ACTION:** Moved by Settle/Marx to: 1. Approve the request for proposals (RFP) for Community Information and Outreach Services and authorize its issuance. 2. Authorize the City Manager to award a two-year contract for community information and outreach services for the water conservation and stormwater pollution prevention programs, with the option of two one-year extensions, if the selected proposal is within the approved budget; motion carried 5:0.

**C7. SURVEYING SERVICES ASSOCIATED WITH SUBDIVISION MAP CHECKING.**

**ACTION:** Moved by Settle/Marx to approve an agreement with San Luis Obispo County for land surveying services associated with subdivision map checking and authorize the Mayor to execute the agreement; motion carried 5:0.

---

**PUBLIC HEARINGS**

**1. APPEAL OF THE TREE COMMITTEE'S DECISION TO ALLOW HOMEOWNER REMOVAL OF ONE PALM TREE AT 1408 JOHNSON.**

This item has been pulled following the applicants withdraw of her initial application for tree removal.

**2. HUMAN RELATIONS COMMISSION'S RECOMMENDED PRIORITIES FOR THE 2010 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND GRANTS-IN-AID (GIA) PROGRAMS.**

Community Development Director Mandeville introduced this item, following which Housing Programs Manager Codron presented the agenda report and responded to questions.

Mayor Romero opened the public hearing.

Gary Fowler, San Luis Obispo, requested clarification for those that are homeless to verify their residency. Housing Programs Manager Codron responded to Mr. Fowler's questions and concerns.

Mayor Romero closed the public hearing.

**ACTION:** Moved by Settle/Ashbaugh, as recommended by the Human Relations Commission, to approve Community Development Block Grant and Grants-In-Aid funding priorities for 2010; motion carried 5:0.

**3. FIRE ENGINE/TRUCK IMPACT FEES.**

Finance & Information Technology Director Statler introduced this item, following which Finance Manager Malicoat presented the agenda report and responded to questions.

Fire Chief Callahan responded Council questions and concerns.

Mayor Romero opened the public hearing.

Gary Fowler, San Luis Obispo, spoke in opposition of staff's recommendation.

Ermina Karim, Chamber of Commerce, discussed the Chamber's concerns about accumulation and overlapping impact fees and how they are going to affect the City. Ms. Karim requested staff defer a decision from Council for a minimum of 60 days.

Steve Barasch, San Luis Obispo, spoke about his concerns regarding the financing and maintenance of the proposed fire truck.

Mayor Romero closed the public hearing.

Council discussion ensued, during which the majority of Council members spoke in support of staff's recommendation.

**ACTION:** Moved by Ashbaugh/Marx to adopt Resolution No. 10118 (2009 Series) establishing fire engine/truck impact fees for new construction over fifty feet in height; motion carried 4:1 (Settle opposed).

The Council recessed at 9:13 p.m. and reconvened at 9:25 p.m. with all members present.

**4. 2009-2010 PROGRAM OF PROJECTS FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5307 GRANTS.**

Public Works Director Walter introduced this item, following which Transit Manager Webster presented the agenda report and responded to questions.

Mayor Romero opened the public hearing.

Eugene Jud, San Luis Obispo, spoke in support of staff's recommendation.

Mayor Romero closed the public hearing.

**ACTION:** Moved by Settle/Ashbaugh, as recommended by the Mass Transportation Committee, to approve the 2009-10 Federal Transit Administration Program of Projects as follows: 1. Conduct a public hearing on the 2009-10 Federal Transit

Administration Program of Projects. 2. Appropriate \$1,914,744 in approved Federal Transit Administration grant funding for the 2009-10 Program of Projects. 3. Adopt Resolution No. 10119 (2009 Series) authorizing the Public Works Director to file a grant application and execute a grant agreement with the Federal Transit Administration in the amount of \$1,914,744; motion carried 5:0.

---

**BUSINESS ITEMS**

**5. FIRST QUARTER UPDATE ON THE CITY'S FISCAL STATUS.**

Finance & Information Technology Director Statler presented the agenda report and responded to questions.

Public Comments

There was no public comment forthcoming.

---end of public comments---

**ACTION:** Council reviewed and discussed an update on the City's fiscal status based on interim 2008-09 year-end financial results and first quarter trends in 2009-10.

**6. 2009 PAVEMENT MANAGEMENT PLAN REVIEW.**

Public Works Director Walter introduced this item, following which City Engineer Lynch presented the agenda report and responded to questions.

Margot Yapp, Nichols Consulting Engineers, responded to Council questions.

Public Comments

There was no public comment forthcoming.

---end of public comments---

**ACTION:** Moved by Settle/Marx to: 1. Receive a report from Margot Yapp of Nichols Consulting Engineers on its peer review of the City's pavement Management Plan. 2. Adjust the priorities and goals established in the original Pavement Management Plan to reflect higher priorities for arterial streets and increase the amount of visual confirmation of arterial street condition, where concerns are the greatest; motion carried 5:0.

**7. TREE APPEAL FEE WAIVER REQUEST.**

City Attorney Lowell presented the agenda report and responded to Council questions.

### Public Comments

Craig Steffens, Appealant, discussed his reasons for requesting the Tree Appeal fee.

---end of public comments---

**ACTION:** Moved by Ashbaugh/Marx to approve a fee waiver for the appeal of the Tree Committee's approval of a tree removal application for 546 Higuera, space number 12, and direct staff to draft a City appeal fee waiver policy for use in evaluating future fee waiver requests; motion carried 5:0.

---

### COUNCIL LIAISON REPORTS

Council Member Marx reported on her attendance at the Integrated Waste Management Authority on September 9<sup>th</sup>, the League of California Cities Conference on September 16-18, the ACPD on September 23<sup>rd</sup>, and SCLC on September 24<sup>th</sup>.

Vice Mayor Settle reported on his attendance at the League of California Cities, Airport Land Use Committee, and PAC facilities meetings.

Council Member Ashbaugh reported on his attendance at the Historic Resources Survey meeting, CAPSLO, and the 25<sup>th</sup> Anniversary of the Botanical Gardens.

Council Member Carter reported on his attendance at the Citizens Advisory Committee.

Mayor Romero reported on his attendance at the Mayor's meeting, League of Cities, Nacimiento Project Commission, Business Visitation, League of California Cities, PAC Facilities meeting.

---

### COMMUNICATIONS

Mayor Romero discussed the memo submitted by Utilities Director Mattingly regarding Quagga Mussels.

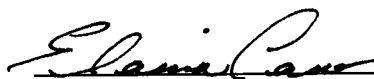
Mayor Romero discussed a memo that pertained to the Council Compensation Committee. By consensus, Council directed staff to return with an agenda report requesting a deferral of this process for 2010.

Mayor Romero discussed a meeting he and City Manager Hampian will attend with officials from Union Pacific Railroad to discuss acquiring the right-of-way needed for the remainder of the Railroad Safety Trail.

Vice Mayor Settle stated his interest in reestablishing the City Clerk position as a Department Head. Council Member Marx concurred. In response to Vice Mayor Settle, Assistant City Manager Stanwyck discussed the recruitment process thus far. In addition, City Manager Hampian requested that the current "pilot restructuring program" continue to move forward. Mr. Hampian explained that this will allow Council to reexamine the program after two years. Council Member Carter concurred. Mayor Romero said that he is willing to reconsider the City Clerk's position back to a Department Head in the future; however, he would like to continue with the pilot program that was agreed to. Council Member Ashbaugh acknowledged the City Clerk's budgetary savings.

---

There being no further business to come before the City Council, Mayor Romero adjourned the meeting at 11:22 pm.



Elaina Cano  
Interim City Clerk

APPROVED BY COUNCIL: 11/03/09