

**MINUTES**  
**MEETING OF THE CITY COUNCIL**  
**CITY OF SAN LUIS OBISPO**  
**TUESDAY, MARCH 2, 2010**  
**COUNCIL CHAMBER, 990 PALM STREET**  
**SAN LUIS OBISPO, CALIFORNIA**

**4:00 P.M. – SPECIAL MEETING**

**ROLL CALL:**

**Council Members**

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

**City Staff**

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

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**PRESENTATION**

Dave Garth, President/CEO, Chamber of Commerce, presented its 2010 Vision Document. Jeff Buckingham, Chairperson, Chamber of Commerce Economic Vision Task Force, Pierre Rademaker, Pierre Rademaker Design, and John Ewan, Chairperson, Chamber of Commerce Board of Directors all spoke in support of the Chamber's 2010 Vision Document.

Council commended the Chamber of Commerce Economic Vision Task Force and staff for a well designed and informative document.

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**PUBLIC HEARING**

**1. CONSIDERATION OF 2010 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING RECOMMENDATIONS.**

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.

The following speakers expressed their gratitude to the City for the proposed CDBG funds:

Jason Reed, Deputy Director to the Women's Shelter  
David Ryal, Mission Community Services Corporation  
Jim Rendler

Jill Bolster-White, Transition Mental Health

Mayor Romero closed the public hearing.

Council spoke of their support of staff's recommendation.

**ACTION:** Moved by Settle/Ashbaugh, as recommended by the Human Relations Commission, to adopt Resolution No. 10152 (2010 Series) to: 1. Approve funding recommendations for \$629,608 of CDBG funds for the 2010 Program Year for projects proposed by CAPSLO, Transitions Mental Health Association, Women's Shelter, City of San Luis Obispo and Mission Community Services Corporation. 2. Reallocate \$25,250 of 2009 CDBG funds from the Anderson Hotel Window Replacement Project to the new Anderson Hotel Elevator Repair Project. 3. Reallocate \$9,750 of 2009 CDBG funds from the Anderson Hotel Window Replacement Project to Property Acquisition (313 South). 4. Reallocate \$180,000 from the Affordable Housing Fund, First-Time Homebuyer Program, to a new program to acquire two, very-low income rental units on 3592 and 3594 Broad Street, to be managed and operated by Transitions Mental Health Association, and authorize the City Manager to execute a purchase agreement for the units; motion carried 5:0.

By consensus, Council agreed to move the Council Liaison Reports and Communications to follow Public Hearing Item 1.

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### COUNCIL LIAISON REPORTS

Council Member Ashbaugh reported on his attendance at the CAPSLO, Zone 9 and County Water Resources Board meetings.

Mayor Romero commented on the items mentioned at the Zone 9 meeting.

Council Member Marx reported on the Air Pollution Control District.

Vice Mayor Carter reported on his attendance at the CMC Citizen Advisory Committee meeting.

Council Member Settle reported on his attendance at the Airport Land Use Commission.

Mayor Romero reported on his attendance at the Nacimiento project meeting.

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### COMMUNICATIONS

Council discussed cancelling one meeting in August and one meeting in December in connection with past practices. Council directed staff to return to Council with a formal recommendation and action.

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**ADJOURN TO CLOSED SESSION 6:00 P.M.**

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**6:15 P.M. – CLOSED SESSION – COUNCIL HEARING ROOM**

**ANNOUNCEMENT OF CLOSED SESSION TOPIC**

City Attorney Dietrick announced the following Closed Session topic:

**CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation**

Pursuant to Government Code § 54956.9  
One (1) potential case

**PUBLIC COMMENT ON CLOSED SESSION ITEM**

Mayor Romero called for public comments. None were forthcoming and the meeting adjourned to the Closed Session.

**CLOSED SESSION REPORT.**

City Attorney Dietrick reported on the Closed Session at the commencement of the 7:00 p.m. Regular Meeting

The Closed Session adjourned at 6:55 p.m.

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**7:00 P.M. – REGULAR MEETING**

Mayor Romero called the regular meeting to order at 7:00 p.m. All Council Members were present.

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**PUBLIC COMMENT**

Peggy Koteen, San Luis Obispo, spoke about her concerns regarding the expansion of California Department Fish and Game Hunting Black Bear proposal. Ms. Koteen urged Council to pass a resolution against bear hunting.

City Attorney Dietrick explained that this issue is not within the legislative action platform and is outside of the scope of issues that the Council can act on. Council could write individual letters of support should they choose.

Michael Teixeira, Paso Robles, introduced himself to Council and announced that he is a candidate for San Luis Obispo County Sheriff.

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**CONSENT AGENDA**

Council agreed to pull Item C8 for further discussion.

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

**C1. MINUTES.**

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

**C2. CASH DONATIONS TO GREENBELT PROGRAM AND APPROPRIATION OF FUNDS.**

**ACTION:** Moved by Settle/Marx to accept several cash donations recently made to the City of San Luis Obispo's Greenbelt Program and appropriate those funds to the Open Space Protection Capital Improvement Project; motion carried 5:0.

**C3. WATER TREATMENT PLANT ROOF REPAIRS, SPECIFICATION NO. 91003.**

**ACTION:** Moved by Settle/Marx to: 1. Approve plans and specifications for "Water Treatment Plant Roof Repairs, Specification No. 91003." 2. Authorize staff to advertise for bids. 3. Authorize the City Manager to award a construction contract if the lowest responsible bid is less than the Engineer's Estimate of \$135,000; motion carried 5:0.

**C4. RECOMMENDATION TO ADD A CONTRIBUTING PROPERTY LOCATED AT 116 CHORRO STREET TO THE MASTER LIST OF HISTORIC RESOURCES.**

**ACTION:** Moved by Settle/Marx, as recommended by the Cultural Heritage Committee (CHC), to adopt Resolution No. 10153 (2010 Series) adding the property located at 116 Chorro Street to the Master List of Historic Resources and removing it from the Contributing Properties List; motion carried 5:0.

**C5. AMENDMENT NO. 2 TO AB 1600 FEE UPDATE.**

**ACTION:** Moved by Settle/Marx to approve Amendment No. 2 to the Purchase order Agreement with David Taussig and Associates in the amount of \$10,000 to complete the Water and Wastewater AB 1600 Fee update; motion carried 5:0.

**C6. ORDINANCE AMENDING CHAPTER 5.72 OF THE SAN LUIS OBISPO MUNICIPAL CODE RELATING TO CABLE TELEVISION FRANCHISES.**

**ACTION:** Moved by Settle/Marx to adopt Ordinance No. 1542 (2010 Series); motion carried 5:0.

**C7. LOS OSOS VALLEY ROAD (LOVR) ROAD PAVEMENT REPAIR, SPECIFICATION NO. 91004.**

**ACTION:** Moved by Settle/Marx to: 1. Authorize staff to advertise for bids for the repair of the pavement on Los Osos Valley Road and authorize the City Manager to award the contract if the lowest responsible bid is less than or equal to the Engineer's Estimate of \$120,000. 2. Approve the transfer of \$151,500 from the Street Reconstruction master project account to the project accounts to fund design support and construction. 3. Approve a sole source purchase order with Dokken Engineering in an amount not to exceed \$15,000 to prepare project plans and obtain State of California Department of Transportation encroachment permit for this work; motion carried 5:0.

**C8. MEMORANDUM OF UNDERSTANDING REGARDING ACCESS TO FROOM RANCH WAY.**

Council Member Marx asked for clarification regarding any future roadway through city open space.

Deputy Director of Public Works Bochum confirmed that the MOU does not indicate any future roadway through open space.

**ACTION:** Moved by Marx/Settle to approve a Memorandum of Understanding with San Luis Coastal Unified School District and with Irish Hills Plaza East, LLC regarding future access to the proposed Froom Ranch Way extension east of Los Osos Valley Road; motion carried 5:0.

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**PUBLIC HEARING**

**2. ADOPTION OF THE ORCUTT AREA SPECIFIC PLAN (OASP) AND FINAL PROGRAM ENVIRONMENTAL IMPACT REPORT (FEIR), INCLUDING GENERAL PLAN AMENDMENTS NECESSARY TO IMPLEMENT THE PLAN (SP/ER 209-98).**

Council Member Marx recused herself due to a conflict of interest regarding ownership of a mobile home unit and a long term lease agreement. Ms. Marx then left the Council Chamber.

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

Council agreed to review the Orcutt Area Specific Plan in its entirety instead of chapter by chapter.

Mayor Romero opened the public hearing.

Andrew Merriam, AICP, Wallace Group, spoke in support of the staff's recommendation.

John Evans, Applicant Representative - Canon Engineer, spoke in general of his overall support of staff's recommendation. Mr. Evans also spoke about his concerns regarding the pedestrian/bicycle bridge.

Carol Florence, Principle Planner - Oasis Associates, representing San Luis Coastal Unified School District, requested that staff modify Section 3.2.6 of the Orcutt Area Specific Plan to reflect the District's process regarding the proposed school site.

Housing Program Manager Codron explained that the requested modifications have been reviewed by staff and staff is in support of the recommended changes.

Phil Gray, San Luis Obispo, spoke in support of staff's recommendation and also stated his concerns regarding the pedestrian/bicycle bridge.

Jim Smith, San Luis Obispo, spoke about his concerns regarding the pedestrian/bicycle bridge.

Andrew Christie, Director Santa Lucia Chapter Sierra Club, spoke about his concerns regarding the soil located within the proposed development.

David Gray, San Luis Obispo, spoke in support of staff's recommendation and also stated his concerns regarding the pedestrian/bicycle bridge.

Nick Muick, San Luis Obispo, spoke in support of staff's recommendation, concerns regarding fees and the pedestrian/bicycle bridge.

Patti Taylor, San Luis Obispo, spoke in support of staff's recommendation and also spoke of her concerns regarding park fees, the pedestrian/bicycle bridge and home site issues.

Dan Rivoire, Bicycle Coalition, spoke in support of the pedestrian/bicycle bridge.

Ermina Karim, Chamber of Commerce, spoke in support of staff's recommendation.

Bev Pratt, San Luis Obispo, spoke in support of the staff recommendation however, Ms. Pratt spoke in opposition to the pedestrian/bicycle bridge.

John Belsher, San Luis Obispo, spoke in support of staff's recommendation however, Mr. Belsher spoke in opposition to the pedestrian/bicycle bridge.

Jeanne Helphenstine, Righetti Ranch, spoke in support of staff's recommendation, however, Ms. Helphenstine spoke in opposition to the pedestrian/bicycle bridge.

Dawn Dawes, San Luis Obispo, spoke about her concerns regarding affordable housing, environmental impacts, and the pedestrian/bicycle bridge.

Mayor Romero closed the public hearing.

Community Development Director Mandeville, Housing Programs Manager Codron, Deputy Development of Public Works Bochum, and Finance and Information Technology Director Statler responded to public comments.

Council Member Settle commended staff and the property owners and spoke in support of staffs recommendation and modifications. Mr. Settle suggested a different location for the pedestrian/bicycle bridge.


Council Member Ashbaugh spoke in support of staffs recommendation and expressed the importance of preserving farm land and the implementation of the pedestrian/bicycle bridge. Mr. Ashbaugh expressed his concerns regarding the location of the proposed school site.

Vice Mayor Carter spoke in support of staff's recommendation and expressed his concerns regarding the proposed changes to the school site. Mr. Carter spoke in support of the location of the pedestrian/bicycle bridge.

Mayor Romero commended staff and the property owners and spoke in favor of staff's recommendations. Mr. Romero expressed his concerns regarding the pedestrian/bicycle bridge and the proposed school site.

**ACTION:** Moved by Carter/Ashbaugh, as recommended by the Planning Commission, to adopt Resolution No. 10154 (2010 Series) to: Certify the FEIR based on findings and subject to a Mitigation Measure Monitoring Plan. 2. Adopt the Planning Commission Draft of the OASP. 3. Approve amendments to the General Plan Land Use Map and Urban Reserve Line to implement the land uses shown in the OASP. 4. Direct staff to begin implementation measures described in the OASP, including preparation of an annexation boundary map for Council review; regarding the future school site, amend the Plan as proposed by the School District and as modified by the City and modify sharing the cost for the pedestrian/bicycle bridge to a 50-50 split with the City to pursue grant funding for its share; motion carried 4:0 (Marx recused).

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There being no further business to come before the City Council, Mayor Romero adjourned the meeting at 10:20 p.m.

  
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Elaina Cano, CMC  
City Clerk

APPROVED BY COUNCIL: 05/04/10