

---end of public comments---

Council Member Settle spoke in support of Alternative #1. Mr. Settle explained the importance of constructing a traffic signal at Madonna Road and Pereira Drive as soon as possible and spoke in opposition to the phased approach.

City Attorney Dietrick stated that the staff's recommendation, from a liability standpoint, creates a record where the City has comprehensive and reliable data on which to proceed in a phased manor.

Council Member Ashbaugh spoke in support of staff's recommendation and spoke of his concerns with the left hand turning lane and traffic and safety concerns regarding emergency access from Fire Station #4.

Council Member Marx spoke in support of staff's recommendation and expressed her concerns regarding traffic and safety issues with the emergency access from Fire Station #4, the removal of trees, and the Shell Gas Station driveway.

Mayor Romero stated that the traffic analysis that he performed coincided with the traffic analysis given by the consultant. Mr. Romero spoke in support of the construction of a full signal.

Vice Mayor Carter spoke in support of staff's recommendation with the criteria as outlined including the hard wire connection to the fire station and tree mitigation.

ACTION: Moved by Carter/Marx to approve staff's revised recommendation to approve a compromise action plan addressing traffic congestion, safety, and access in the vicinity of Madonna and LOVR, including the draft criteria for moving from phase to phase, hard wire connection to the fire station for traffic signal preemption, and tree removal mitigation. 2. Council authorized staff to implement subsequent phases. 3. Direct the City Manager and the City Attorney to finalize an agreement with the LVSC regarding the proposed action plan and Authorize the City Manager to approve the agreement; motion carried 3:2 (Romero and Settle opposed)

Mayor Romero and Council Member Settle stated their opposition to the motion was because the phased approach did not provide the immediate needs of the citizens.

ADJOURN TO CLOSED SESSION 6:28 P.M.

FOLLOWING THE 4:00 P.M. SPECIAL MEETING – CLOSED SESSION – COUNCIL HEARING ROOM

ANNOUNCEMENT OF CLOSED SESSION TOPIC

City Attorney Dietrick announced the following Closed Session topic:

CONFERENCE REGARDING PROPERTY NEGOTIATIONS

Pursuant to Government Code § 54956.8

PROPERTY: 736 Marsh Street
NEGOTIATING PARTIES:
City of San Luis Obispo: Katie Lichtig, Shelly Stanwyck, J. Christine Dietrick
WestPac: Hamish Marshall
NEGOTIATIONS: Possible acquisition of property, terms and price

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 7:02 p.m.

7:00 P.M. – REGULAR MEETING

Mayor Romero called the regular meeting to order at 7:07 p.m. All Council Members were present.

PRESENTATION

DONATION BY RUNNING WAREHOUSE AND PLUS 3 NETWORK. Special Events Coordinator Wallace introduced Joe Rubio, owner of Running Warehouse, David Monaco, Plus 3 Network, who presented the City with a \$4,999 donation.

APPOINTMENTS

1. 2010 APPOINTMENTS TO CITY ADVISORY BODIES.

ACTION: Moved by Settle/Ashbaugh, in accordance with the recommendations of the Council Subcommittees, to make appointments to the City's advisory bodies effective April 1, 2010; motion carried 5:0.

PUBLIC COMMENT

Tim Williams, Digital West Metro Fiber, spoke about the opportunity to provide the San Luis Obispo Business District with metro fiber and requested the Council to agendaize this topic. Council directed staff to work with Mr. Williams and agreed to sign individual letters of support.

CONSENT AGENDA

By consensus, Council pulled item C7 for further discussion.

ACTION: Approve the Consent Agenda as indicated below.

C1. MINUTES.

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

C2. NAMING OF THE SANTA ROSA PARK MULTI-USE COURT IN HONOR OF KEN HAMPPIAN.

ACTION: Moved by Settle/Carter to approve naming the Santa Rose Park Multi-Use Court the Hampian Hockey Rink and Multi-Use Court in honor of Ken Hampian's contributions to the City of San Luis Obispo during his tenure as City Manager; motion carried 5:0.

C3. SAN LUIS OBISPO COUNTY PUBLIC ACCESS, INC. (SLOCOPA) AGREEMENT RENEWAL.

ACTION: Moved by Settle/Carter to: 1. Approve the renewal of the Agreement with SLOCOPA for the continued use of the public portion of the PEG Access funds for a term of three years expiring on March 31, 2013 and authorize the Mayor to execute the agreement. 2. Approve the waiver of the requirement for year-end financial statements to be audited by an independent certified public accountant; motion carried 5:0.

C4. REQUEST FOR PROPOSALS – DESIGN, TRAFFIC ENGINEERING, AND CONSTRUCTION MANAGEMENT SERVICES, SPECIFICATION NO. 90703-2010.

Council Member Marx spoke about the needs of the neighborhoods and additional police officers.

ACTION: Moved by Settle/Carter to: 1. Approve the Request for Proposals (RFP) to provide Design, Traffic Engineering, and Construction Management Services for the Capital Improvement Program, Specification No. 90703-2010. 2. Authorize the City Manager to execute agreements with the selected consulting firms. 3. Authorize the Finance Director to execute Purchase Orders for individual projects to consultants under agreement, in an amount not to exceed the authorized project budget; motion carried 5:0.

C5. DOWNTOWN WATER, SEWER AND MICROSURFACING SUMMER 2010, SPECIFICATION NO. 90976.

Mayor Romero spoke about his concerns regarding the street paving priorities in the downtown core. City Manager Lichtig explained that staff is already in the process of evaluating options to facilitate the evaluation of the downtown streets as a higher priority.

ACTION: Moved by Settle/Carter to: 1. Approve plans and specifications for the Downtown Water, Sewer and Microsurfacing Summer 2010 Project Specification No. 90976. 2. Authorize staff to advertise for bids 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 \$559,000; motion carried 5:0.

C6. 2010-11 DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT APPLICATION.

ACTION: Moved by Settle/Carter to: 1. Authorize staff to submit a grant application to the California Department of Alcoholic Beverage Control for Fiscal Year 2010-11 not to exceed \$50,000. 2. If a grant is awarded, authorize the City Manager to execute the necessary grant documents. 3. Adopt Resolution No. 10155 (2010 Series) authorizing the City Manager to enter into a contract with the State if awarded funding; motion carried 5:0.

C7. SUPPORT FOR THE CITY'S PARTICIPATION IN THE GOOGLE "FIBER FOR COMMUNITIES" PROJECT.

This item was pulled for further Council discussion, during which they spoke in support of staff's recommendation.

ACTION: Moved by Ashbaugh/Marx to adopt Resolution No. 10156 (2010 Series) supporting the City's participation in Google's "Fiber for Communities" project and authorizing the City Manager to complete the City's response to Google's "Request for Information"; motion carried 5:0.

PUBLIC HEARINGS

2. APPEAL OF THE ARCHITECTURAL REVIEW COMMISSION'S ACTION TO APPROVE A MITIGATED NEGATIVE DECLARATION AND THE DESIGN OF A BICYCLE AND PEDESTRIAN PATH AND BRIDGE OVER PREFUMO CREEK AT 1269 VISTA LAGO (ARC/ER 74-09, PAUL JOHANSEN, APPLICANT.

Community Development Director Mandeville introduced this item, following which Senior Planner Ricci presented the agenda report and responded to questions.

Mayor Romero opened the public hearing.

Paul Johanson, Appellant, spoke in opposition to staff's recommendation and referred to a powerpoint presentation and responded to questions from Council.

Sharon Seymore, San Luis Obispo, spoke in opposition to the design of the bridge and stated her concerns regarding the safety of the bridge.

The following speakers spoke in support of staff's recommendation:

Mary Andrews, San Luis Obispo

Michelle Shoresman, San Luis Obispo

Kevin Christian, San Luis Obispo

Jonathan Roberts

Glen Matteson, Chair of the Bicycle Advisory Committee

Chris Teaford, San Luis Obispo

Dan Rivoire, Executive Director of the San Luis Obispo Bicycle Coalition

Tom DiSanto, San Luis Obispo

Kelsie Greer, San Luis Obispo Regional Rideshare

Vanessa Amerson

Gary Havas, San Luis Obispo

Jim Woolf, Bicycle Advisory Committee Member

Cynthia Steele, San Luis Obispo, spoke in opposition of the bridge.

Denise Page, spoke in opposition to the bridge

Amir Burstein, San Luis Obispo, spoke in opposition to the bridge.

Shirley Howell, San Luis Obispo, spoke in opposition of the bridge.

Gary Fowler, San Luis Obispo, spoke about his concerns regarding lighting, budget, liability.

Anne McGlynn, San Luis Obispo, spoke about her concerns with the width of the bridge, the 24 hour accessibility and the available parking spaces at the Windermere Condominium Complex.

Mayor Romero closed the public hearing.

Council Member Marx spoke in support of the concept of the design of the bridge and staff's recommendation.

Mayor Romero expressed his concerns regarding not receiving a firm offer to dedicate as an initial condition to development. Mr. Romero also spoke of his concerns regarding the width of the bridge and other alternative routes.

Council Member Settle agreed with Mayor Romero.

Council Member Ashabugh spoke in support of staff's recommendation with the addition of Condition 4 and additional lighting for safety.

Vice Mayor Carter spoke in support of staff's recommendation and additional lighting on the length of the path.

ACTION: Moved by Marx/Ashbaugh to adopt Resolution No. 10157 (2010 Series), denying the appeal and upholding the Architectural Review Commission's action to approve the project and a Mitigated Negative Declaration, based on findings, and subject to mitigation measures and conditions" plus SAFETY CONDITION #4 - Based on continuing negotiations with the Windermere homeowners' association board, modifications to the path design on the northern boundary of the Windermere condominium development may be approved by the Community Development Department if the modifications result in a wider path width at this location, and CONDITION #5 Work to expand the width of the path and evaluate the path lighting; motion carried 3:2 (Romero and Settle opposed).

Moved by Settle/Carter to direct staff that if the project as designed and approved by the ARC and City Council is not feasible, then an alternate route consistent with grant funding provisions shall return to the City Council; motion carried 5:0.

COUNCIL LIAISON REPORTS

Council Member Settle reported on his attendance at the Performing Arts Facilities Committee meeting.

Council Member Marx reported on her attendance at the SLOCOG and SORTA meetings.

Council Member Ashbaugh reported on his attendance at the Cultural Heritage Committee and the Homeless Services Oversight Committee Meetings.

Mayor Romero reported on his attendance at the Mayor's meeting.

COMMUNICATIONS

Council discussed and agreed to endorse the San Luis Obispo Downtown Association's Vision document via resolution.

Council Member Settle spoke about his concerns regarding a plan line between Los Osos Valley Road and Buckley Road.

City Manager Lichtig stated that staff will meet to discuss what resources are available to research Council Member Settle concerns.

There being no further business to come before the City Council, Mayor Romero adjourned the meeting at 10:00 p.m.



Elaina Cano, CMC
City Clerk

APPROVED BY COUNCIL: 05/18/10