



council agenda
CITY OF SAN LUIS OBISPO
CITY HALL, 990 PALM STREET

Tuesday, September 16, 2003

6:30 P.M.

CLOSED SESSION

**Council Hearing Room
990 Palm Street**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code § 54956.9

James Wilford Zanolli, etc. v. City of San Luis Obispo, et al.

7:00 P.M.

REGULAR MEETING

**Council Chamber
990 Palm Street**

CALL TO ORDER: Mayor Dave Romero

PLEDGE OF ALLEGIANCE

ROLL CALL: Council Members John Ewan, Ken Schwartz,
Allen K. Settle, Vice Mayor Christine Mulholland,
Mayor Dave Romero

PRESENTATIONS

PRESENTATION OF CITY EMPLOYEE YEARS OF SERVICE AWARDS. (MOLONEY
– 20 MINUTES)

**PRESENTATION TO THE CITY BY DON SPAGNOLO, CENTRAL COAST CHAPTER
PRESIDENT AMERICAN PUBLIC WORKS ASSOCIATION, OF THE PROJECT OF
THE YEAR AWARD.** (MCCLUSKEY/WALTER - 5 MINUTES)



City Council regular meetings are televised live on Charter Channel 20. The City of San Luis Obispo is committed to include the disabled in all of its services, programs, and activities. Telecommunications Device for the Deaf (805) 781-7410. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. For more agenda information, call 781-7103.

PUBLIC COMMENTS ON AGENDA ITEMS: You may address the Council on any item described in this agenda by completing a speaker slip and giving it to the City Clerk prior to the meeting. The Mayor will open the floor to and invite public comments before the Council takes action on each item. (Gov. Code Sec. 54954.3(a)). Your speaking time is limited to three (3) minutes. (CC&P Sec.1.3.7).

CITY COUNCIL PROCEDURES FOR PUBLIC HEARINGS: The Mayor will announce each item and thereafter, the hearing will be conducted as follows:

1. City staff will present the staff report and recommendation on the proposal being heard and respond to questions from Council.
2. The Mayor will open the public hearing by first asking the project applicant/appellant (or his/her representative) to present any points necessary for the Council, as well as the public, to fully understand the proposal.
3. The Mayor will then ask other interested persons to come to the podium to present testimony either in support of or in opposition to the proposal.
4. Finally, the Mayor will invite the applicant/appellant (or his/her representative) back to the podium to respond to the public testimony, if appropriate. The Mayor will then close the public hearing and limit further discussion to the Council and staff prior to the Council taking a vote.

RULES FOR PRESENTING TESTIMONY AT A PUBLIC HEARING: City Council meetings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present testimony are asked to observe the following rules:

1. Speakers are asked to submit speaker slips to the City Clerk.
2. If you have filled out a Speaker Slip, the Mayor will call you to the podium.
3. Speakers shall address the Council from the podium after giving his/her name and city of residence. Speakers shall direct their comments to the Council, not the audience.
4. Speakers shall limit comments to three minutes. The Mayor, after all others have spoken, may allow additional brief comments from speakers who have already commented on the same agenda item.
5. If testifying as paid representatives, as defined in the Municipal Code speakers shall register as a Municipal Advocate and shall preface their comments by identifying themselves as Municipal Advocates (§2.64.020 & §2.64.050 & §2.64.070).
6. Applicants, appellants or applicant representatives desiring to speak shall:
 - a. Submit speaker slips to the City Clerk (available on a plastic rack at the entrance to the Council Chamber).
 - b. Shall be permitted to speak first during the public comment portion of the public hearing for not more than ten minutes.
 - c. Address the Council from the podium after giving their name and address, and/or the name and address of the applicant/appellant they are representing. If the applicant/appellant's representative is a paid Municipal Advocate, they shall comply with Number 5 above.
7. If you challenge an issue in court, you may be limited to raising only those issue you or someone else raised at this public hearing as described above, or in written correspondence delivered to the City before or during the public hearing.

COUNCIL CORRESPONDENCE: Written comments on agenda items are encouraged and are most effective if presented at least five days prior to the meeting. Council Correspondence regarding agenda items received **after** 5:00 p.m. on the day of the Council meeting will be distributed the following day.

PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA (not to exceed 15 minutes total)

The Council welcomes your input. You may address the Council by completing a speaker slip and giving it to the City Clerk prior to the meeting. At this time, you may address the Council on items that are not on the agenda or items on the Consent Agenda. Time limit is three minutes. State law does not allow the Council to discuss or take action on issues not on the agenda, except that members of the Council or staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights (Gov. Code Sec. 54954.2). Staff may be asked to follow up on such items. Staff reports and other written documentation relating to each item referred to on this agenda are on file in the City Clerk's Office in Room 1 of City Hall.

APPOINTMENT**A1. APPOINTMENT RECOMMENDATION TO THE PARKS AND RECREATION COMMISSION. (PRICE – 5 MINUTES)**

RECOMMENDATION: Appoint Ty Griffin to fill an unexpired term beginning October 1, 2003 and expiring on March 31, 2007.

CONSENT AGENDA

The Consent Agenda is approved on one motion. Council Members may pull consent items to be considered after Business items. The public may comment on any item on the Consent Calendar.

C1. APPROVE MINUTES OF THURSDAY, AUGUST 28, 2003 SPECIAL MEETING AND TUESDAY, SEPTEMBER 2, 2003 REGULAR MEETING. (PRICE)

RECOMMENDATION: Waive oral reading and approve as presented.

C2. SNACK BAR DONATION FOR THE DAMON-GARCIA SPORTS FIELDS. (LESAGE)

RECOMMENDATION: 1) Approve the recommendations of the Parks and Recreation Commission and accept the donation of a snack bar building for the Damon-Garcia Sports Fields from the Rotary Club of San Luis Obispo De Tolosa. 2) Authorize the Mayor to sign the Donor Agreement. 3) Approve the use fee schedule for the snack bar.

C3. PROPOSITION 40 BOND APPLICATIONS. (LESAGE)

RECOMMENDATION: As recommended by the Parks and Recreation Commission, adopt the following resolutions, authorizing applications for allocation funding from Proposition 40, the 2002 Resources Bond Act: 1) \$220,000 from the Per Capita allocations; 2) \$120,364 from the Roberti-Z'berg Harris Block Grant allocations.

C4. AUTHORIZATION TO APPLY FOR ENVIRONMENTAL GRANT MONIES FROM THE STATE HABITAT CONSERVATION FUND AND RECREATIONAL TRAILS PROGRAM IN SUPPORT OF ACQUISITION OF UNION PACIFIC RAILROAD COMPANY PROPERTIES ON CUESTA RIDGE.
(GEORGE/HAVLIK)

RECOMMENDATION: Adopt resolutions authorizing staff to complete and submit applications for grant monies in the amount of \$120,000 from the State Habitat Conservation Fund and \$120,000 from the Recreational Trails Program, which would be used in support of acquisition of the Union Pacific Railroad Company properties (two parcels) on Cuesta Ridge in Los Padres National Forest.

C5. APPROVAL OF AGREEMENT FOR PROFESSIONAL SERVICES WITH THE ENVIRONMENTAL CENTER OF SAN LUIS OBISPO COUNTY (ECOSLO).
(GEORGE/HAVLIK)

RECOMMENDATION: Approve and authorize the Mayor to sign a two-year professional services agreement with the Environmental Center of San Luis Obispo County (ECOSLO), for public information and retainer services of up to \$15,000 in each year of the current financial plan, for a total of \$30,000 over the two-year life of the agreement.

C6. APPROVAL OF AGREEMENT FOR PROFESSIONAL SERVICES WITH THE LAND CONSERVANCY OF SAN LUIS OBISPO COUNTY. (GEORGE/HAVLIK)

RECOMMENDATION: Approve and authorize the Mayor to execute a two-year professional services agreement with the Land Conservancy of San Luis Obispo County for continued professional services of up to \$7,500 per year, for a total of \$15,000 over the two-year life of the agreement.

C7. ARCHEOLOGICAL SERVICES – DOWNTOWN PIPELINE PROJECTS.
(MCCLUSKEY/LYNCH)

RECOMMENDATION: Approve additional funding for the completion of archeological monitoring for the downtown pipeline projects.

C8. STREET RECONSTRUCTION AND RESURFACING PROJECT, SPECIFICATION NO. 90346. (MCCLUSKEY/LYNCH)

RECOMMENDATION: Approve additional funding for the Street Reconstruction and Resurfacing project.

C9. RESOLUTION REJECTING THE PROPOSED CLOSURE OF THE CALIFORNIA SPECIALIZED TRAINING INSTITUTE (CSTI). (GEORGE/KISER)

RECOMMENDATION: Adopt a resolution urging the Governor and Director of Finance of the State of California to reject the proposed closure of the California Specialized Training Institute (CSTI).

C10. DOWNTOWN ASSOCIATION END OF YEAR BUDGET ADJUSTMENT. (CASH)

RECOMMENDATION: Approve request to appropriate \$12,300 from the Downtown Association Fund Balance of \$69,514 to cover expenditures which exceeded projections for the 2002-03 year.

PUBLIC HEARING

1. MINOR SUBDIVISION WITH EXCEPTIONS TO LOT AREA, WIDTH AND DEPTH, 1124 GEORGE AND 1121 IRIS STREETS (MS/ER 89-03). (MANDEVILLE/COREY – 30 MINUTES)

RECOMMENDATION: Adopt a resolution approving a tentative parcel map with exceptions to the Subdivision Regulations and approving a Negative Declaration of environmental impact, based on findings and subject to conditions of approval.

COUNCIL LIAISON REPORTS (not to exceed 15 minutes)
Council Members report on conferences or other City activities. Time limit—3 minutes.

COMMUNICATIONS (not to exceed 15 minutes)
At this time, any Council Member or the City Administrative Officer may ask a question for clarification, make an announcement, or report briefly on his or her activities. In addition, subject to Council Policies and Procedures, they may provide a reference to staff or other resources for factual information, request staff to report back to the Council at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda (Gov. Code Sec. 54954.2).

A. ADJOURN.

ADVISORY BODIES

ARCHITECTURAL REVIEW COMMISSION (ARC)

The ARC generally meets the first and third Monday of each month. The meetings are held in City Hall in the Council Hearing Room at City Hall, 990 Palm St. and begin at 5:00 p.m. Call 781-7170 to confirm times and dates.

BICYCLE ADVISORY COMMITTEE (BAC)

The Bicycle Advisory Committee meets quarterly in March, June, September, and December. Call 781-7178 to confirm exact dates and times.

CITY COUNCIL

The City Council meets on the first and third Tuesday of every month. The meetings generally begin at 7:00 p.m. and are held at City Hall in the Council Chamber, 990 Palm Street. Call 781-7103 to confirm times and dates.

CULTURAL HERITAGE COMMITTEE (CHC)

The CHC meetings are held on the fourth Monday of the Month at 5:30 p.m. in the Council Hearing Room at City Hall, 990 Palm St. Call 781-7170 to confirm dates and times.

DOWNTOWN ASSOCIATION BOARD OF DIRECTORS

The Downtown Association Board usually meets the second Tuesday of the month at 7:30 a.m. in the Council Hearing Room located at City Hall, 990 Palm St. Call 541-0286 to confirm the date and time.

HOUSING AUTHORITY

The Housing Authority meets the third Thursday of the month at noon in the Housing Authority offices located at 487 Leff St. Call 543-4478 to confirm dates and times

HUMAN RELATIONS COMMISSION (HRC)

The Human Relations Commission usually meets the first Wednesday of the month at City Hall in the Council Hearing Room, 990 Palm St. beginning at 5:00 p.m. Call 781-7251 to confirm dates and times.

JACK HOUSE COMMITTEE

The Jack House Committee meets the second Wednesday of the month at the Parks & Recreation Department, 1341 Nipomo Street, at 7:00 p.m. Call 781-7305 to confirm the dates and times.

JOINT USE OF RECREATIONAL FACILITIES COMMITTEE (JUC)

The Joint Use Committee meets the fourth Tuesday of each month at noon at the Recreation Department located at 1341 Nipomo Street. Call 781-7300 to confirm dates and times.

MASS TRANSPORTATION COMMITTEE (MTC)

The Mass Transportation Committee meetings are held on call, generally on a quarterly basis. Call 781-7121 to confirm exact dates and times.

PARKS AND RECREATION COMMISSION (P&R)

The Parks and Recreation Commission typically meets the first Wednesday of the month in the City/County Library located at 995 Palm St. and begin at 7:00 p.m. Call 781-7300 to confirm dates and times.

PLANNING COMMISSION (PC)

The Planning Commission meets the second and fourth Wednesday of the month at 7:00 p.m. in the Council Chamber, City Hall, 990 Palm Street. Call 781-7170 to confirm dates and times.

PROMOTIONAL COORDINATING COMMITTEE (PCC)

The Promotional Coordinating Committee meets the second Wednesday of each month at 5:30 p.m. in the Council Hearing Room at City Hall, 990 Palm St. Call 781-7123 to confirm the times and places.

TREE COMMITTEE

Tree Committee meets at 5:00 p.m. on the fourth Monday of the month at the City's Corporation Yard located at 25 Prado Road. Call 781-7220 to confirm dates and times.