



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

**Tuesday, January 3, 2006**

**6:30 P.M.**

**CLOSED SESSION**

**Council Chamber  
990 Palm Street**

**CALL TO ORDER:** Mayor Dave Romero

**ROLL CALL:** Council Members Paul Brown, John Ewan, Christine Mulholland, Vice Mayor Allen Settle, Mayor Dave Romero

**CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code § 54957.6

Agency Negotiator: Karen Jenny, Monica Irons  
Employee Organization: San Luis Obispo City Employees' Association (SLOCEA)

Agency Negotiator: Karen Jenny, Monica Irons  
Employee Organization: San Luis Obispo Police Staff Officers' Association (SLOPSOA)

And –

Agency Negotiator: Karen Jenny, Monica Irons

Unrepresented Employees: Management Personnel

**7:00 P.M.**

**REGULAR SESSION**

**Council Hearing Room  
990 Palm Street**

**PLEDGE OF ALLEGIANCE**



City Council regular meetings are televised live on Charter Channel 20. The City of San Luis Obispo is committed to including 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 781-7100.

**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 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 issues 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.

**CORRESPONDENCE TO COUNCIL:** Written comments on agenda items are encouraged and are most effective if presented at least one day prior to the meeting. Note: Correspondence to Council received after 5:00 p.m. on the day of the Council meeting regarding agenda items may not be distributed until the following day.

INTRODUCTIONS

**INTRODUCTION OF NEW EMPLOYEE, RACHAEL HENDRICKS, HUMAN RESOURCES ANALYST. (IRONS)**

PRESENTATIONS

**PROCLAMATION - THE YEAR OF SLO'S SESQUICENTENNIAL. (ROMERO)**

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.

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. MINUTES OF TUESDAY, DECEMBER 6, 2005. (HOOPER)**

RECOMMENDATION: Waive oral reading and approve as presented.

**C2. ADOPTION OF ORDINANCE NO. 1487 (2006 SERIES) AMENDING CHAPTER 4.30 OF THE MUNICIPAL CODE MODIFYING THE DOWNTOWN PARKING IN-LIEU FEE AREA TO INCLUDE 1221 NIPOMO; AND ADOPTION OF ORDINANCE NO. 1488 (2006 SERIES) AMENDING THE ZONING MAP FOR 1221 & 1213 NIPOMO, AND 577 & 579 MARSH STREET.**  
(MANDEVILLE/HILL)

RECOMMENDATION: Adopt Ordinance No. 1487 (2006 Series) amending Chapter 4.30 of the City of San Luis Obispo's Municipal Code modifying the Downtown Parking In-Lieu Fee Area to include 1221 Nipomo, and; adopt Ordinance No. 1488 (2006 Series) amending the City's zoning map designation for the property at 1221 Nipomo from High-Density Residential (R-4) to Downtown-Commercial with the Mixed-Use combining overlay (C-D-MU), and the addition of a Mixed-Use combining overlay to the Downtown Commercial Zoning at 1213 Nipomo and 577 & 579 Marsh Streets, based on findings.

- C3. FINAL MAP APPROVAL FOR TRACT NO 2478 – A FOUR RESIDENTIAL AND ONE OPEN SPACE LOT COMMON INTEREST SUBDIVISION LOCATED AT 3045 ROCKVIEW – SUBDIVIDER: JOHN R. AND KELLY D. MITCHELL.**  
(WALTER/LEYVA)

RECOMMENDATION: Adopt a resolution approving the final map for Tract 2478.

- C4. PROPOSED CHANGES TO TREE REGULATIONS.** (WALTER/BEIGHTS)

RECOMMENDATION: Introduce an ordinance amending Section 12.24.200, Tree Regulations, of the San Luis Obispo Municipal Code.

- C5. EXTENSION OF EXCLUSIVE NEGOTIATING AGREEMENT WITH WESTPAC REGARDING PARKING LOT NO. 2.** (LOWELL/STANWYCK)

RECOMMENDATION: Authorize the Mayor to execute a First Amendment to Exclusive Negotiating Agreement extending the term of the negotiation period set forth in the August 23, 2005, Exclusive Negotiating Agreement through May 31, 2006.

- C6. CONTRACT AMENDMENT NO. 1 FOR ADDITIONAL RIGHT OF WAY SERVICES FOR TANK FARM GRAVITY SEWER, LIFT STATION AND FORCE MAIN.** (MOSS/HIX)

RECOMMENDATION: Approve amendment No.1 to agreement with Hamner, Jewell and Associates for right-of-way acquisition services in the amount of \$47,000 and authorize the Mayor to execute the contract.

- C7. EL CHORRO REGIONAL PARK LIGHTED SOFTBALL FIELDS, SPECIFICATION NO. 90269.** (WALTER/MCGUIRE)

RECOMMENDATION: 1. Award the contract for the "El Chorro Regional Park Lighted Softball Fields," Specification No. 90269, to Cal Electro Inc. in the total project bid amount of \$403,915. 2. Authorize the transfer of an additional \$110,000 from the Park In-Lieu fees account to the project account for funding alternate bids 1, 2, & 3 plus related construction contingencies and other project costs.

PUBLIC HEARINGS
-----------------

- 1. CONSIDERATION OF A LOT LINE ADJUSTMENT MAP WITH EXCEPTIONS TO THE SUBDIVISION REGULATIONS, 275 HIGH STREET & 2031 CYPRESS STREET (LLA 148-05)** (MANDEVILLE/COREY - 15 MINUTES)

RECOMMENDATION: Adopt Resolution "A," approving a lot line adjustment, with exceptions to the Subdivision Regulations, based on findings, and subject to conditions and code requirements.

**2. ABANDONMENT OF RUTH STREET. (WALTER/BOCHUM - 15 MINUTES)**

RECOMMENDATION: As recommended by the Planning Commission, adopt a resolution to abandon portions of Ruth Street, subject to conditions.

**3. APPEAL OF TREE COMMITTEE DECISION TO DENY TREE REMOVAL REQUEST. (WALTER/BEIGHTS – 30 MINUTES)**

RECOMMENDATION: Adopt a resolution denying the appeal of the Tree Committee's decision to deny the tree removal request at 804 Vista Del Arroyo Street.

BUSINESS ITEMS

**4. COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR 2004-05. (STATLER/DOMINGUEZ - 20 MINUTES)**

RECOMMENDATION: Review and discuss the Comprehensive Annual Financial Report and ending financial results for 2004-05.

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)

**ADJOURN TO AN ADJOURNED REGULAR MEETING IN THE COUNCIL HEARING ROOM AT NOON ON WEDNESDAY, JANUARY 11, 2006.**

## **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 5:30 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 Ludwick Community Center located at 864 Santa Rosa 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 Council Chamber, City Hall, located at 990 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.