



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

Tuesday, July 7, 2009

7:00 P.M.

REGULAR MEETING

Council Chamber
990 Palm Street

CALL TO ORDER: Mayor Dave Romero

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

PLEDGE OF ALLEGIANCE

PRESENTATION

PROCLAMATION ACKNOWLEDGING JULY AS PARKS AND RECREATION MONTH.
(ROMERO – 3 MINUTES)

APPOINTMENT

A1. NOMINATION TO THE BOARD OF DIRECTORS OF THE CENTRAL COAST COMMISSION FOR SENIOR CITIZENS (CCCSC), AREA AGENCY ON AGING.
(ROMERO – 3 MINUTES)

RECOMMENDATION: Nominate Hosia M. Towery to serve a two-year term, July 1, 2009 through June 30, 2011, as the City of San Luis Obispo's representative to the Central Coast Commission for Senior Citizens Area Agency on Aging Board of Directors.



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.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the City Clerk's office located at 990 Palm Street, San Luis Obispo, during normal business hours.

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 4 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 JUNE 4, JUNE 9, AND JUNE 11, 2009. (STANWYCK/CANO)

RECOMMENDATION: Waive oral reading and approve as presented.

C2. COLLECTION OF DELINQUENT SOLID WASTE COLLECTION AND DISPOSAL ACCOUNTS. (MATTINGLY/MUNDS)

RECOMMENDATION: Adopt a resolution authorizing the San Luis Obispo County Assessor to assess the amounts due to San Luis Garbage Company on delinquent accounts for provision of solid waste collection and disposal services as described within Municipal Code Section 8.04.070 as liens against the properties involved.

C3. AMEND THE MUNICIPAL CODE (NIGHT SKY PRESERVATION); (GPI 47-08). (MANDEVILLE/DAVID)

RECOMMENDATION: Adopt Ordinance No. 1527 (2009 Series), amending the Municipal Code by the addition of Chapter 17.23 relating to night sky preservation.

C4. AMEND TITLE 17 OF THE MUNICIPAL CODE (ZONING REGULATIONS); (GPI 67-08). (MANDEVILLE/COREY)

RECOMMENDATION: Adopt Ordinance No. 1528 (2009 Series) amending Title 17 of the Municipal Code.

C5. PURCHASE SELF-CONTAINED BREATHING APPARATUS (SCBA). (CALLAHAN/BERRYMAN)

RECOMMENDATION: Approve the purchase of self-contained breathing apparatus (SCBA) for the Fire Department in the amount of \$220,900.

C6. 2009 WATER RESOURCES STATUS REPORT. (MATTINGLY/HENDERSON/MUNDS)

RECOMMENDATION: Receive and file the City's 2009 Water Resources Status Report.

C7. INTEGRATED REGIONAL WATER MANAGEMENT PLAN – MEMORANDUM OF MUTUAL UNDERSTANDINGS. (MATTINGLY/HENDERSON)

RECOMMENDATION: Approve the “Integrated Regional Water Management Plan Memorandum of Mutual Understandings” with the County of San Luis Obispo and authorize the Mayor to execute the agreement.

C8. POLYBUTYLENE SERVICES REPLACEMENT PROJECT 2, SPECIFICATION NO. 90898. (WALTER/REYES)

RECOMMENDATION: 1. Approve plans and specifications for the “Polybutylene Services Replacement Project 2, Specification No. 90898.” 2. Authorize staff to advertise for bids and authorize the City Manager to award the contract if the lowest responsible bid is within the Engineer’s Estimate of \$633,645.

C9. SKATE PARK ORDINANCE. (KISER)

RECOMMENDATION: Adopt Ordinance No. 1530 (2009 Series) amending the Municipal Code to include a new Section 12.20.140 requiring any person riding a permitted coasting device at Santa Rosa Park Skateboard Park to wear a helmet, elbow pads and knee pads.

C10. INCREASE MEMBERS TO THE TOURISM BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD. (STANWYCK/ELKE)

RECOMMENDATION: As recommended by the Tourism Business Improvement District (TBID) Board, introduce an ordinance amending Ordinance No. 1517 to increase the number of board members from five to seven.

C11. AUTHORIZE THE CITY ATTORNEY TO COOPERATE WITH THE LEAGUE OF CALIFORNIA CITIES, OTHER CITIES, AND COUNTIES IN LITIGATION CHALLENGING THE CONSTITUTIONALITY OF ANY SEIZURE BY STATE GOVERNMENT OF THE CITY’S STREET MAINTENANCE FUNDS. (LOWELL)

RECOMMENDATION: Adopt a resolution authorizing the City Attorney to cooperate with the League of California Cities, other cities, and counties in litigation challenging the constitutionality of any seizure by state government of the City’s maintenance funds.

C12. ALLOCATE \$325,000 FROM THE AFFORDABLE HOUSING FUND. (MANDEVILLE/CODRON)

RECOMMENDATION: Approve the use of \$325,000 from the Affordable Housing Fund to purchase an affordable housing unit located on 3591 Sacramento Drive, Unit #53, and appropriate funds accordingly.

**C13. OFFICE OF TRAFFIC SAFETY SEATBELT ENFORCEMENT GRANT.
(LINDEN/ELLSWORTH)**

RECOMMENDATION: 1. Approve the submission of an application to the California Office of Traffic Safety for a grant to fund officer overtime for seatbelt enforcement as part of the statewide "Click It or Ticket" program in an amount not to exceed \$12,000. 2. Authorize the Chief of Police to accept the grant award if the amount is less than \$12,000 and to execute all grant documents.

C14. INTRODUCE AN ORDINANCE AMENDING PARKING METER RATES AND DEPOSIT OF PARKING FINES AND FORFEITURES AND ADOPT A RESOLUTION SETTING FINES FOR EXPIRED METERS. (WALTER/BOCHUM)

RECOMMENDATION: 1. Adopt a resolution approving an increase of the parking fine for violation of San Luis Obispo Municipal Code Section 10.52.050 (Expired Meters). 2. Introduce an ordinance amending: a). San Luis Obispo Municipal Code Section 10.52.010 to reflect Council changes to parking meter rates; and b). San Luis Obispo Municipal Code Section 10.64.040 to reflect Council changes to the deposit of collected parking fines and forfeitures.

PUBLIC HEARINGS

**1. CONSIDERATION OF NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INTRODUCTION OF REVISED ORDINANCE REGULATING THE CLOSURE OR CONVERSION TO OTHER USES OF MOBILE HOME PARKS WITHIN THE CITY.
(LOWELL/DIETRICK – 1 HOUR)**

RECOMMENDATION: As recommended by the Planning Commission and as modified pursuant to Council direction on May 5, 2009: 1. Adopt a Negative Declaration of environmental impact for a proposed ordinance governing the closure and conversion to other uses of mobile home parks within the City. 2. Introduce an ordinance adopting new Chapter 5.45 of the San Luis Obispo Municipal Code regulating mobile home park conversions.

2. 2009-11 CULTURAL ACTIVITIES GRANTS-IN-AID FUNDING. (STANWYCK/ELKE – 20 MINUTES)

RECOMMENDATION: As recommended by the Promotional Coordinating Committee (PCC): 1. Approve the 2009-10 Grants-in-Aid (GIA) allocations in the amount of \$89,680. 2. Authorize the City Manager to execute the individual agreements with each grant recipient.

BUSINESS ITEM

3. **COMMERCIAL FIRE ZONE FIRE SPRINKLER EXEMPTION.** (CALLAHAN/MAGGIO – 1 HOUR)

RECOMMENDATION: Deny the request to exempt the installation of fire sprinklers from the buildings located at 1014 and 1020 Palm Street.

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 Manager 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.