



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

Tuesday, January 19, 2010

4:30 P.M.
7:00 P.M.

SPECIAL MEETING
REGULAR MEETING

Council Chamber
990 Palm Street

4:30 P.M. – SPECIAL MEETING

CALL TO ORDER: Mayor Dave Romero

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

PUBLIC COMMENTS ON AGENDA ITEMS ONLY: 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)

BUSINESS ITEMS

- 1. APPROVAL OF PROPOSED 2009-11 PUBLIC ART PROJECTS AND ACCEPTANCE OF PUBLIC ART PIECE "OH GREAT SPIRIT."** (KISER/BATES – 30 MINUTES)

RECOMMENDATION: 1. As recommended by the Capital Improvement Plan Review Committee, approve specific public art projects for funding through the 2009-11 Financial Plan. 2. As recommended by the Public Art Jury and the Architectural Review Commission (ARC), adopt a resolution accepting the donation of the public art piece *Oh Great Spirit* for installation on the open space at Higuera Street and Prado Road.



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.

**2. ORDINANCE AMENDING RESIDENTIAL NOISE REGULATIONS.
(LINDEN/PARKINSON – 1 HOUR)**

RECOMMENDATION: 1. Introduce an ordinance amending section 9.12.110 of the San Luis Obispo Municipal Code to create sanctions for continued residential noise violations. 2. Approve modifications to procedures used to enforce and administer noise regulations. 3. Authorize the use of community service to off-set all or part of the administrative fine for first-time violators of the City noise ordinance.

ADJOURN TO A REGULAR MEETING.

7:00 P.M. – REGULAR MEETING

PLEDGE OF ALLEGIANCE

PRESENTATION

ADMINISTRATION OF THE OATH OF OFFICE TO THE NEW CITY OF SAN LUIS OBISPO CITY MANAGER, KATIE LICHTIG. (ROMERO – 5 MINUTES)

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. (STANWYCK/CANO)

RECOMMENDATION: Waive oral reading and approve as presented.

C2. 2009-11 COST ALLOCATION PLAN. (STATLER/MCANDREW)

RECOMMENDATION: Approve the 2009-11 Cost Allocation Plan.

**C3. ADOPTION OF ORDINANCE NO. 1538 (2010 SERIES) AMENDING CHAPTER 2.40 (ELECTION REGULATIONS) OF THE MUNICIPAL CODE.
(STANWYCK/DIETRICK/CANO)**

RECOMMENDATION: Adopt Ordinance No. 1538 (2010 Series).

C4. RE-INTRODUCTION OF THE CITY'S SIDEWALK CAFÉ ORDINANCE (TA 52-08). (MANDEVILLE/DUNSMORE)

RECOMMENDATION: Re-introduce an ordinance that incorporates text amendments to Municipal Code Chapter 5.50 relating to sidewalk cafes and approve a negative declaration for the project.

C5. HYDROMODIFICATION PLAN, JOINT EFFORT PARTICIPATION. (WALTER/LYNCH)

RECOMMENDATION: Authorize staff to proceed with the development of a Hydromodification Management Plan under the conditions of the Central Coast Regional Water Quality Board's joint effort proposal.

C6. HELISTOP ON THE ROOF LEVEL OF THE PARKING STRUCTURE AT SIERRA VISTA HOSPITAL (ARC MI 84-09; 21 CASA STREET). (MANDEVILLE/RICCI)

RECOMMENDATION: Adopt a resolution supporting the Community Development Director's action to approve a helistop on the roof of Sierra Vista Hospital's parking structure at 21 Casa Street.

C7. 2010 LEGISLATIVE ACTION PLATFORM. (DIETRICK)

RECOMMENDATION: 1. Adopt a resolution establishing a Legislative Action Platform for 2010. 2. Appoint the Mayor and City Attorney to act as the primary legislative liaisons between the League of California Cities and the City of San Luis Obispo.

C8. AMENDMENT NO. 3 TO MACRO CORPORATION FOR RADIO SYSTEM PROJECT MANAGEMENT SERVICES. (STATLER/SCHMIDT)

RECOMMENDATION: Approve Amendment No. 3 to the radio system design services contract with Macro Corporation in the amount of \$45,040 and authorize the Mayor to sign the agreement.

C9. CALIFORNIA STATEWIDE NEEDS ASSESSMENT PROJECT FOR LOCAL STREETS AND ROADS. (WALTER)

RECOMMENDATION: Adopt a resolution in support of statewide efforts to assess the needs of local street and road maintenance and to advocate for increased funding for streets and roads to bring them up to Best Management Practices condition.

PUBLIC HEARINGS

3. **SURF CAB COMPANY CERTIFICATE OF PUBLIC CONVENIENCE AND TAXI PERMIT.** (WALTER/WEBSTER – 20 MINUTES)

RECOMMENDATION: Adopt a resolution declaring the need for the operation of four (4) taxi operators in the City of San Luis Obispo and authorize the City Manager or her designee to process the Certificate of Public Convenience and Necessity and approve five (5) Taxi Permits to Surf Cab Company on a one-year trial basis.

4. **DRAFT HOUSING ELEMENT UPDATE (GPA 120-08).** (MANDEVILLE/MURRY – 2 HOURS)

RECOMMENDATION: As recommended by the Planning Commission, adopt a resolution approving the Negative Declaration of Environmental Impact and the November 2009 Draft Housing Element of the General Plan.

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.