



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

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**Tuesday, February 16, 2010**

**6:15 P.M.**

**SPECIAL MEETING**

**Council Hearing Room  
990 Palm Street**

**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

**ANNOUNCEMENT OF CLOSED SESSION TOPIC**

**PUBLIC COMMENT ON CLOSED SESSION ITEM**

CLOSED SESSION

**CONFERENCE REGARDING PROPERTY NEGOTIATIONS**

Pursuant to Government Code § 54956.8

**PROPERTIES:** Union Pacific Railroad rights-of-way, various parcels identified as follows:

APN 002-343-034

APN 002-342-024

APN 002-455-004

APN 052-193-020

State Board of Equalization # 850-40-2B

State Board of Equalization # 850-40-2A

State Board of Equalization # 805-40-2B, Parcel 3A

State Board of Equalization # 850-40-2AM

State Board of Equalization # 850-40-2A, Parcel 37



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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.

**NEGOTIATING PARTIES:**

City of San Luis Obispo: Jay Walter, Katie Lichtig  
Landowner: Union Pacific Railroad

**NEGOTIATIONS:** Possible acquisition of property, terms and price

**ADJOURN TO A REGULAR MEETING.**

7:00 P.M.	<b>REGULAR MEETING</b>	<b>Council Chamber 990 Palm Street</b>
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**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

**PLEDGE OF ALLEGIANCE**

**CLOSED SESSION REPORT.** (DIETRICK)

INTRODUCTION
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**INTRODUCTION OF NEW FIRE ADMINISTRATIVE ANALYST, JULIE COX.**  
(CALLAHAN – 3 MINUTES)

PRESENTATIONS
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**2010 CENSUS PARTNER PROCLAMATION.** (ROMERO – 5 MINUTES)

**SPAY DAY USE 2010 PROCLAMATION.** (ROMERO – 5 MINUTES)

**OCTAGON BARN PRESENTATION BY B.K. RICHARD, LAND CONSERVANCY.**  
(RICHARD – 15 MINUTES)

<p><b>PUBLIC COMMENT PERIOD FOR ITEMS <u>NOT</u> ON THE AGENDA</b> (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.</p>
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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. BOB JONES CITY-TO-SEA TRAIL ACCESS EASEMENT. (WALTER/VAN BEVEREN)**

RECOMMENDATION: 1. Accept the Offer of Dedication of Easement from JK Dewar Properties to formalize access for the Bob Jones City-to-Sea project. 2. Approve the Acknowledgement of Drainage Easement to the benefit of JK Dewar Properties and authorize the Mayor to execute the document. 3. Direct the City Clerk to forward the accepted Offer to Dedicate and Consent form to the County Clerk-Recorder's Office for Recording.

**C3. ADDITION OF CHAPTER 12.23 TO THE MUNICIPAL CODE RELATING TO PROTECTION OF RIPARIAN HABITAT AND WATER QUALITY. (STANWYCK/HAVLIK/OTTE)**

RECOMMENDATION: Adopt Ordinance No. 1541 (2010 Series).

**C4. LEASE AGREEMENT WITH THE SAN LUIS OBISPO ART CENTER FOR THE PROPERTY LOCATED AT 1010 BROAD STREET. (STANWYCK/ELKE)**

RECOMMENDATION: 1. Rescind the current lease agreement with the San Luis Obispo Art Center valid until 2017. 2. Approve a new 55-year agreement (with a potential 44-year extension) lease agreement with the Art Center for construction and subsequent operation of the San Luis Obispo Art Center. 3. Authorize the Mayor to execute the agreement.

BUSINESS ITEMS

**1. STATUS REPORT: UNREINFORCED MASONRY HAZARD MITIGATION PROGRAM. (STANWYCK/MANDEVILLE/CLARK/GIRVIN – 45 MINUTES)**

RECOMMENDATION: 1. Receive report and discuss status of Unreinforced Masonry Hazard Mitigation (URM) Program. 2. Direct staff to return to Council with Extension Agreements with property owners of Garden Street Terraces, Chinatown, and Naman projects to allow additional time for these projects to complete their permitting and construction. 3. Direct staff to return to Council with change to the URM Ordinance as necessitated by Council Action. 4. Reaffirm the July 1, 2010, deadline for ten buildings described in the report. 5. Direct staff to return to Council with an amendment to the

fee schedule that eliminates the favorable fees for seismic retrofit projects where the original permit has expired due to inaction on the project.

**2. DIGITAL INFRASTRUCTURE AND VIDEO COMPETITION ACT ORDINANCE.**  
(DIETRICK – 30 MINUTES)

RECOMMENDATION: Introduce an ordinance amending Chapter 5.72 of the San Luis Obispo Municipal Code relating to cable television franchises.

**3. MID-HIGUERA WIDENING PROJECT: COSTS, MEDIANS AND PROJECT OPTIONS.** (WALTER/VAN BEVEREN – 45 MINUTES)

RECOMMENDATION: Modify the scope of the current Higuera Street Widening project to align the project with the available funding which means that the project will include traffic signal replacements and operational improvements at Marsh Street and at High Street and the resurfacing of Higuera Street from Marsh Street to South 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.**