



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

**Tuesday, June 1, 2010**

4:00 P.M.	SPECIAL MEETING	990 Palm Street
6:00 P.M.	CLOSED SESSION	
7:00 P.M.	REGULAR MEETING	

**4:00 P.M. – SPECIAL MEETING – COUNCIL CHAMBER**

**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**

**ENTERPRISE FUND FISCAL REVIEW**

1. **2010 LAGUNA LAKE GOLF COURSE FUND RATE REVIEW.** (KISER – 30 MINUTES)

**RECOMMENDATION:** As recommended by the Parks & Recreation Commission (PRC):

1. Review and discuss the 2009-11 annual golf fund financial and rate review.
2. As approved by resolution during the 2009-11 golf fund rate review, implement the increase in green fees of \$1.00/round and \$10.00/10-play card effective July 1, 2010.
3. Authorize additional General Fund transfers of \$22,400 for 2009-10 and \$64,000 for 2010-11.
4. Conceptually approve the Golf Fund budget for 2010-11 with final action on June 15, 2010, with the adoption of the 2009-11 Financial Plan Supplement.



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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.

2. **2010 TRANSIT ENTERPRISE FUND REVIEW.**  
(WALTER/BOCHUM/WEBSTER – 30 MINUTES)

RECOMMENDATION: 1. Review and accept the 2010 Transit Enterprise Fund review. 2. Approve the date set for a Mass Transportation Committee public hearing for SLO Transit fare modifications. 3. Authorize the City Manager or her designee to negotiate and approve (consistent with the existing agreement) two one-year contract extensions with First Transit, Inc to perform operations and maintenance for 2010-11 and 2011-12 Fiscal Year. 4. Temporarily suspend Trolley service on Friday-Sunday effective September 1, 2010, until future revenues are found to re-establish service. 5. Conceptually approve the Transit Enterprise Fund budget for 2010-11, with final action on June 15, 2010, with the adoption of the 2010-11 Budget.

3. **2010 PARKING ENTERPRISE FUND REVIEW.** (WALTER/HORCH – 20 MINUTES)

RECOMMENDATION: 1. Review and accept the 2010-11 Parking Enterprise Fund Review. 2. Conceptually approve the Parking Enterprise Fund budget of 2010-11, with final action on June 15, 2010, with the adoption of the 2010-11 Budget.

4. **2010 WATER FUND REVIEW.** (MATTINGLY/BISHOP – 20 MINUTES)

RECOMMENDATION: 1. Review and accept the 2010 annual water fund financial review. 2. Approve the amended Capital Improvement Plan, which eliminates \$350,000 for Polybutylene Replacements and eliminates \$250,000 for Water Distribution Master Plan Implementation in 2010-11. 3. Conceptually approve revisions to the water fixture charges, based on current material costs, pending the June 15, 2010, adoption of a resolution to update water fixture fees.

5. **2010 SEWER FUND REVIEW.** (MATTINGLY/BISHOP – 20 MINUTES)

RECOMMENDATION: 1. Review and accept the 2010 annual sewer fund financial review. 2. Approve the amended Capital Improvement Plan, which eliminates \$235,000 for Calle Joaquin Lift Station design phase in 2010-11, based on the revised capital program plan.

**ADJOURN TO CLOSED SESSION**

**6:00 P.M. CLOSED SESSION – COUNCIL HEARING ROOM**

**ANNOUNCEMENT OF CLOSED SESSION TOPIC**

**PUBLIC COMMENT ON CLOSED SESSION ITEM**

CLOSED SESSION

**CONFERENCE REGARDING PROPERTY NEGOTIATIONS**

Pursuant to Government Code § 54956.8

PROPERTY:	736 Marsh Street
NEGOTIATING PARTIES:	
City of San Luis Obispo:	Katie Lichtig, Shelly Stanwyck, J. Christine Dietrick
WestPac:	Hamish Marshall
NEGOTIATIONS:	Direction on terms of real property negotiation

**ADJOURN TO REGULAR MEETING**

**7:00 P.M. – REGULAR MEETING – COUNCIL CHAMBER**

**PLEDGE OF ALLEGIANCE**

**CLOSED SESSION REPORT. (DIETRICK)**

PRESENTATIONS

**SAN LUIS OBISPO HIGH SCHOOL MAYOR’S AWARDS FOR COMMUNITY SERVICE. (ROMERO – 15 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 OF APRIL 6 AND APRIL 13, 2010. (STANWYCK/CANO)**

RECOMMENDATION: Waive oral reading and approve as presented.

**C2. NOVEMBER 2, 2010, GENERAL MUNICIPAL ELECTION.  
(STANWYCK/CANO)**

RECOMMENDATION: 1. Adopt a Resolution calling for, and giving notice of, a General Municipal Election on Tuesday, November 2, 2010, and adopting regulations pertaining to candidates' statements. 2. Adopt a Resolution requesting that the San Luis Obispo County Board of Supervisors consolidate the November 2, 2010, General Municipal Election with the Statewide General Election to be held on that date.

**C3. UNDERWRITER SELECTION: ANALYSIS OF PENSION COST REDUCTION OPPORTUNITIES. (MALICOAT)**

RECOMMENDATION: Authorize the City Manager to issue a request for proposals for an underwriter to serve as part of a financing team that will analyze cost reduction opportunities via the issuance of pension obligation bonds for the City's Safety Plan "side pool;" and to award the contract to the most qualified firm.

**C4. OPTION AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY WITH IRISH HILLS PLAZA WEST, LLC. (STANWYCK/HAVLIK)**

RECOMMENDATION: Approve a Resolution: 1. Authorizing the Mayor to exercise the option to purchase 310 acres of land at the Froom Ranch from Irish Hills West, LLC, at an agreed purchase price of \$635,500, and accept the title to the property on behalf of the City of San Luis Obispo. 2. Authorizing the conveyance of a Deed of Conservation Easement to the Land Conservancy of San Luis Obispo County covering the 310 acres. 3. Providing certain assurances regarding historical and archeological resources on the property to the Federal Land and Water Conservation Fund. 4. Providing a deed restriction covering the property as required by the Nature Conservancy of California. 5. Direct staff to advance funds into the escrow to accommodate the Federal Land and Water Conservation Fund program, which provides reimbursements. 6. Authorizing the City Attorney to approve any non-substantive changes required to the documents to facilitate the transaction.

**C5. FISCAL YEAR 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM APPLICATION. (LINDEN/ELLSWORTH)**

RECOMMENDATION: 1. Authorize staff to submit an application for a 2010 Edward Byrne Memorial Justice Assistance Grant in the amount of \$16,847 to purchase crime prevention and detection technology and to fund officer training. 2. If the grant is awarded, authorize the City Manager to execute necessary grant documents.

- C6. FINAL ACCEPTANCE OF A PORTION OF SUBDIVISION IMPROVEMENTS (CREEKSTON FRONTAGE, M07-009, 791 ORCUTT) FOR TRACT 2707 – A RESIDENTIAL CONDOMINIUM SUBDIVISION AT 953 ORCUTT ROAD (CITYVIEW CREEK, AKA WATT COMMUNITIES).**  
(WALTER/HANNULA/DOSTALEK)

RECOMMENDATION: Adopt a Resolution accepting the public improvements for the Creekston frontage portion at 791 Orcutt Road (M07-009) for Tract 2707 and releasing the corresponding sureties.

- C7. CITY HALL ROOF REPAIRS, SPECIFICATION NO. 90778.**  
(WALTER/MCGUIRE)

RECOMMENDATION: 1. Approve plans and specifications for City Hall Roof Repairs, Specification No. 90778. 2. Authorize staff to advertise for bids. 3. Authorize the City Manager to award a construction contract if the lowest responsible bid is less than the Engineer's Estimate of \$250,000. 4. Approve a transfer of \$50,000 from the project construction account to the project construction management account.

- C8. AMENDMENT TO THE SAN LUIS OBISPO MUNICIPAL CODE REQUIRING CITY TAXES TO BE PAID PRIOR TO CLAIMANTS SEEKING JUDICIAL RELIEF.** (DIETRICK)

RECOMMENDATION: Introduce an Ordinance to require that a City tax be paid before a person contesting the validity or the amount of the tax may seek judicial relief.

- C9. REVIEW OF HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT ENDORSED UPDATE OF THE HOUSING ELEMENT OF THE CITY'S GENERAL PLAN.** (MANDEVILLE/MURRY)

RECOMMENDATION: Adopt a Resolution to approve the State Housing and Community Development Department endorsed update of the Housing Element of the General Plan and associated Negative Declaration of environmental effects.

- C10. SAFE ROUTES TO SCHOOL GRANT APPLICATION.** (WALTER/HUDSON)

RECOMMENDATION: 1. Approve the project to install speed feedback signs and school warning beacons on Los Osos Valley Road near Laguna Middle School. 2. Direct staff to seek funding for the project from the Safe Routes to School grant funding program provided by the State. 3. Approve the minimum ten percent (10%) funding match of \$4,500 from the Annual Traffic Safety Budget required for the grant funding program.

PUBLIC HEARING

6. **CONSIDERATION OF A FINAL ENVIRONMENTAL IMPACT REPORT (EIR),  
USE PERMIT AND VESTING TENTATIVE TRACT MAP FOR THE GARDEN  
STREET TERRACES PROJECT.** (MANDEVILLE/COREY – 2 HOURS)

RECOMMENDATION: As recommended by the Planning Commission, adopt the following resolutions granting approval of the Final EIR, use permit and vesting tentative tract map for the Garden Street Terraces Project: 1. Adopt Resolution A that certifies the Final EIR with findings of overriding considerations relative to aesthetics and visual resources, air quality, cultural resources, short-term construction noise, and cumulative impacts, and approving the Reduced Development (environmentally superior) and Project Without Public Parking Alternatives as the required project. 2. Adopt Resolution B that approves a modified use permit and vesting tentative tract map, based on findings and subject to conditions.

BUSINESS ITEMS

7. **TERM SHEET FOR LONG-TERM LEASE OF CITY'S PARKING LOT NUMBER  
TWO.** (LICHTIG/DIETRICK/STANWYCK/CLARK – 30 MINUTES)

RECOMMENDATION: Providing Council has certified the Environmental Impact Report (EIR) with the Environmentally Superior and Project With Public Parking Alternatives, staff recommends approval of a Term Sheet with WestPac Investments, Inc (WestPac) for the Garden Street Terraces Project that outlines the principal terms for inclusion in a new Memorandum of Understanding (MOU) affecting the City's Parking Lot Two (Lot 2) and any other documents necessary to finalize these negotiations (such as a ground lease).

8. **PISMO AND BUCHON NEIGHBORHOOD TRAFFIC MANAGEMENT.**  
(WALTER/HUDSON – 45 MINUTES)

RECOMMENDATION: Adopt a Resolution approving the Pismo/Buchon Neighborhood Traffic Management (NTM) Action 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.**