



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

Tuesday, May 17, 2011

7:00 p.m.

REGULAR MEETING

**Council Chamber
990 Palm Street**

CALL TO ORDER: Mayor Jan Marx

ROLL CALL: Council Members Dan Carpenter, Andrew Carter and Kathy Smith, Vice Mayor John Ashbaugh and Mayor Jan Marx

PLEDGE OF ALLEGIANCE

PRESENTATION

PROCLAMATION FOR NATIONAL PUBLIC WORKS WEEK. (MARX – 5 MINUTES)

APPOINTMENT

A1. APPOINTMENT TO THE HOUSING AUTHORITY BOARD. (MARX – 5 MINUTES)

RECOMMENDATION: Appoint Thomas Sherman as a Board Member to the Housing Authority Board for a term to begin on May 17, 2011, and expire on March 31, 2013.



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. 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. (CODRON/CANO)

RECOMMENDATION: Waive oral reading and approve as presented.

C2. COOPERATION AGREEMENT WITH THE COUNTY OF SAN LUIS OBISPO REGARDING CITY PARTICIPATION IN THE URBAN COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT FEDERAL PROGRAM FOR FISCAL YEARS 2012-2014. (MANDEVILLE/COREY)

RECOMMENDATION: Adopt a resolution approving the Cooperation Agreement with the County of San Luis Obispo for participation in the Urban County federal grant program for fiscal years 2012-2014.

C3. FINAL ADOPTION OF CURFEW ORDINANCE. (LINDEN)

RECOMMENDATION: Adopt Ordinance No. 1562 (2011 Series) adding Chapter 9.50 to the San Luis Obispo Municipal Code adding a nighttime curfew for minors.

C4. UTILITIES DEPARTMENT COMPUTERIZED MAINTENANCE MANAGEMENT AND ASSET MANAGEMENT SYSTEM REQUEST FOR PROPOSALS. (MATTINGLY/HENDERSON/METZ)

RECOMMENDATION: 1) Approve a Request for Proposals for a Computerized Maintenance Management and Asset Management System for Utilities Department, authorize soliciting requests for proposals and authorize the contract award by the City Manager if the selected proposal is within the available budget of \$265,000. 2) Authorize the use and transfer of \$120,000 from previously identified Utilities Department water fund general carryover, \$120,000 from the sewer fund completed capital improvement plan project account, and \$25,000 in available general carryover from the general fund to the Utilities Computerized Maintenance Management and Asset Management System project specific account.

C5. REQUEST FOR QUALIFICATIONS FOR RIGHT-OF-WAY ACQUISITION SERVICES, SPECIFICATION NO. 91083. (WALTER/VAN BEVEREN)

RECOMMENDATION: 1) Approve the Request for Qualifications for Right-of-Way Acquisition Services and authorize staff to solicit responses; 2) Authorize the City Manager to execute an agreement with the top selected consultant or consultants; and 3) Authorize the Finance Manager to execute purchase orders and amendments for individual Right-of-Way service contracts where funding is available in the project account for those services.

C6. WATER RECLAMATION FACILITY (WRF) DIGESTER #1 CLEANING AND MAINTENANCE PROJECT, SPECIFICATION NO. 91066. (WALTER/GUZMAN)

RECOMMENDATION: 1) Approve the plans and specifications for Water Reclamation Facility: Digester 1 Cleaning and Maintenance Project, Specification No. 91066 and authorize staff to advertise for bids. 2) Authorize the City Manager to award the contract if the lowest responsible bid is within Engineer's Estimate of \$215,000.

C7. DOWNTOWN ASSOCIATION AGREEMENT RENEWAL. (CODRON/CLARK)

RECOMMENDATION: Approve an agreement with the San Luis Obispo Downtown Association (SLODA) for provision of services to the City and authorize the Mayor to execute the two-year agreement.

C8. PISMO/BUCHON NEIGHBORHOOD TRAFFIC MANAGEMENT MEASURE Y PROJECT SPECIFICATION NO. 91084. (WALTER/OVERBY)

RECOMMENDATION: 1) Approve plans and specifications for construction of the Pismo/Buchon Neighborhood Traffic Management project, Specification No. 91084. 2) Authorize staff to advertise for bids and the City Manager to award the contract if the lowest responsible bidder is under the Engineer's Estimate of \$463,800.

C9. 2011 OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING PROGRAM GRANT APPLICATION. (LINDEN/ELLSWORTH)

RECOMMENDATION: 1) Authorize staff to submit an application for a 2011 Federal Community Oriented Policing Services (COPS) Hiring Program Grant application in the amount of \$814,511 to fund two entry-level police officer positions for three years. 2) If grant funding is awarded, authorize the City Manager to execute all necessary grant documents.

C10. WATERLINE REPLACEMENTS 2010-2011, SPECIFICATION NO. 90936.
(WALTER/LAWRENCE)

RECOMMENDATION: 1) Award a contract to D-KAL Engineering, Inc. in the amount of \$916,786.50 for the Waterline Replacements 2010-2011 Project, Specification No. 90936. 2) Approve a transfer of \$1,057,287 from the Water Distribution System Improvements Master Account to this project's account.

C11. APPROVAL OF ADDITIONAL PUBLIC ART PROJECTS FOR 2009-11.
(STANWYCK/BATES)

RECOMMENDATION: Approve four additional public art projects and one equipment purchase for a total expenditure of \$95,500 of unallocated public art funds from the 2009-11 Financial Plan.

BUSINESS ITEMS

1. AUGUST 30, 2011, SPECIAL ALL MAILED BALLOT MUNICIPAL ELECTION.
(CODRON/CANO – 15 MINUTES)

RECOMMENDATION: 1) Adopt a resolution calling for, and giving notice of a Special All Mailed Ballot Municipal Election on Tuesday, August 30, 2011, and requesting that the San Luis Obispo County Board of Supervisors permit the County Elections Official to conduct the August 30, 2011, Special All Mailed Ballot Municipal Election. 2) Appropriate funds from the unreserved General Fund Reserve up to \$110,000, for assistance in the conduct of a special election.

2. CHARTER AMENDMENT AND REPEAL MEASURES FOR AUGUST 30, 2011, ALL MAILED BALLOT SPECIAL MUNICIPAL ELECTION. (DIETRICK/CANO – 45 MINUTES)

RECOMMENDATION: 1) Adopt resolutions that will: a. Submit to the voters of the City of San Luis Obispo, at an All Mailed Ballot Special Municipal Election to be held on August 30, 2011, a proposed Charter amendment that would amend Charter Section 1105 ("Retirement") to provide that the City Council may terminate the City's contract with the California Public Employees' Retirement System (CalPERS), or amend or negotiate another contract, to provide improved or reduced employee retirement benefits, without voter approval, but only in accordance with state law and as permitted by the Board of Administration of the Public Employees Retirement System. b. Submit

to the voters of the City of San Luis Obispo, at an All Mailed Ballot Special Municipal Election to be held on August 30, 2011, a proposed measure repealing in its entirety Section 1107 ("Impartial and Binding Arbitration for San Luis Obispo Police Officers Association and San Luis Obispo Firefighters Association, IAFF Local 3523, Employee Disputes") of the Charter of the City of San Luis Obispo. c. Set priorities for filing written arguments regarding the City measures and direct the City Attorney to prepare an impartial analysis. 2) Appoint an ad hoc committee of the City Council to prepare and submit ballot arguments and rebuttal arguments, if warranted.

3. **WATER RECLAMATION FACILITY MASTER PLAN.** (MATTINGLY/HIX – 1 HOUR)

RECOMMENDATION: Receive and file report.

4. **REVIEW OF CITY CONTRACT WITH SAN LUIS OBISPO COUNTY PUBLIC ACCESS (SLOCOPA) AND CONSIDERATION OF ALTERNATIVE MODELS FOR THE USE OF PUBLIC, EDUCATION AND GOVERNMENT (PEG) FUNDING.** (LICHTIG/CODRON – 30 MINUTES)

RECOMMENDATION: 1) Adopt a resolution directing staff to provide thirty days notice of termination of the City's existing contract with SLOCOPA due to misappropriation of public funds. 2) Direct staff to return to the City Council with updated Operating Plans for PEG channels, and a resolution reallocating PEG funding to the education and government channels that is consistent with the updated Operating Plans.

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.