



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

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**Tuesday, October 18, 2011**  
**REVISED**

5:00 p.m.

**SPECIAL MEETING**

**Council Hearing Room**  
**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

**ANNOUNCEMENT OF CLOSED SESSION TOPICS**

**PUBLIC COMMENT ON CLOSED SESSION ITEMS**

CLOSED SESSION

**CONFERENCE REGARDING PROPERTY NEGOTIATIONS**

Pursuant to Government Code § 54956.8

Property:

APN's 002-416-034 and 002-416-029

Negotiating Parties:

City of San Luis Obispo:

Katie Lichtig, Michael Codron, J.  
Christine Dietrick, Claire Clark

San Luis Obispo Court Street, LLC  
(aka San Luis Obispo Chinatown, LLC):

Tom Copeland, Suzanne Fryer, Mark  
Rawson

Negotiations:

Direction as to terms of payment on  
Option to Purchase Real Property  
Agreement



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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.

**CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation**

Pursuant to Government Code § 54956.9(b)

One (1) potential action against the City challenging the State of California Department of Transportation’s environmental determination regarding the Los Osos Valley Road/U.S. 101 Interchange Improvement Project

**CONFERENCE WITH LEGAL COUNSEL –Existing Litigation**

Pursuant to Government Code § 54956.9 (a)

*Pacific Mechanical Corp. v. City of San Luis Obispo*  
San Luis Obispo Superior Court Case No. CV100030

**CONFERENCE WITH LEGAL COUNSEL – Existing Litigation**

Pursuant to Government Code § 54956.9 (a)

*Donald Sipple v The City of Alameda, et al.*  
Los Angeles Superior Court Case No. BC462270

**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 Jan Marx

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

**PLEDGE OF ALLEGIANCE**

**CLOSED SESSION REPORT.** (DIETRICK)

PRESENTATIONS
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**PRESENTATION RECOGNIZING THE HEROIC EFFORTS OF PUBLIC SAFETY OFFICERS.** (MARX/LINDEN – 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. 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. MODIFICATION OF COMPENSATION FOR COUNCIL MEMBER DAN CARPENTER FOR HIS CURRENT TERM OF OFFICE. (CODRON/CANO)**

RECOMMENDATION: Adopt a resolution modifying the compensation of Council Member Dan Carpenter from \$8,600 to \$10,200, effective October 27, 2011, through the remainder of his term.

**C3. ADOPTION OF ORDINANCE NO. 1569, GRANTING CONOCOPHILLIPS PIPELINE COMPANY A FRANCHISE TO CONSTRUCT, OPERATE, AND MAINTAIN PROPRIETARY PIPELINES FOR THE TRANSPORTATION OF OIL, AND OTHER SPECIFIED MATERIALS IN THE CITY OF SAN LUIS OBISPO. (CODRON)**

RECOMMENDATION: Adopt Ordinance No. 1569 to renew an existing franchise agreement with ConocoPhillips, pursuant to the provisions of Article X of the San Luis Obispo City Charter, Article XI, Section 9(b) of the California Constitution, and Section 39732(b) of the California Government Code.

**C4. DONATION ACCEPTANCE – SOUND OFF SIGNAL. (WALTER/HOLSTINE/MUDGETT)**

RECOMMENDATION: Accept a donation of emergency response equipment for a police patrol vehicle from Sound Off Signal for a value of less than \$10,000.

**C5. GRAND AVENUE/HIGHWAY 101 TRAFFIC SIGNAL INSTALLATION, SPECIFICATION NO. 90876. (WALTER/CRISP)**

RECOMMENDATION: Award a contract to Lee Wilson Electric in the amount of \$229,130.40 for the Grand Avenue/Highway 101 Traffic Signal Installation Project, Specification No. 90876.

PUBLIC HEARINGS

**1. APPEAL OF TREE COMMITTEE DECISION TO DENY TREE REMOVAL APPLICATION AT 1284 ELLA STREET. (WALTER/COMBS – 30 MINUTES)**

RECOMMENDATION: Adopt a resolution denying the appeal of the Tree Committee's decision to not allow the removal of a pine tree at 1284 Ella Street.

**2. ANNUAL PUBLIC HEARING FOR THE TOURISM BUSINESS IMPROVEMENT DISTRICT. (CODRON/ELKE – 15 MINUTES)**

RECOMMENDATION: 1) Conduct a public hearing to receive testimony regarding the City Council's intention to continue the citywide Tourism Business Improvement District. 2) Determine whether a legally sufficient protest is made. 3) Adopt a resolution affirming the establishment of the San Luis Obispo Tourism Business Improvement District, setting forth the basis for the assessment, and levying the assessment upon hotels in the district for fiscal year 2011-12 if a legally sufficient protest showing is not made.

**3. UPDATE TO SEWER USE ORDINANCE AND INDUSTRIAL DISCHARGE LIMITS. (MATTINGLY/FLOYD – 15 MINUTES)**

RECOMMENDATION: Introduce by title only, an ordinance revising Chapter 13.08, Prohibited Discharges section of the Sewer Use Ordinance of the Municipal Code.

**4. SAN LUIS GARBAGE COMPANY INTERIM YEAR SOLID WASTE RATE ADJUSTMENT APPLICATION. (MATTINGLY/MUNDS – 30 MINUTES)**

RECOMMENDATION: Adopt a resolution increasing solid waste rates by 4.62% for interim year 2011 effective on November 1, 2011; provided there is not a majority protest against such increase.

BUSINESS ITEMS

**5. 2010 ANNUAL TRAFFIC SAFETY REPORT. (WALTER/LINDEN/HUDSON – 30 MINUTES)**

RECOMMENDATION: Receive and discuss the 2010 Annual Traffic Safety Report and associated mitigation strategies.

**6. CITY WAYFINDING PROGRAM. (WALTER/FRASER – 45 MINUTES)**

RECOMMENDATION: 1) Adopt a resolution approving a City Wayfinding Program including an updated City emblem and approving the conceptual plans for an entry monument sign at the corner of Highland and Santa Rosa Street (Highway 1); and authorize the City manager to implement the City Wayfinding Program within approved budgets. 2) Approve a transfer of \$50,000 from the Community Promotions Operating budget for Contract Services to the Directional Sign Program capital project's construction account to support construction costs associated with the Directional Signage Program project.

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.**