

MINUTES
MEETING OF THE CITY COUNCIL
CITY OF SAN LUIS OBISPO
TUESDAY, JUNE 2, 2009
990 PALM STREET
SAN LUIS OBISPO, CALIFORNIA

6:45 P.M. – SPECIAL MEETING – COUNCIL HEARING ROOM

ROLL CALL:

Council Members

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

City Staff

Present: Ken Hampian, City Manager, Jonathan Lowell, City Attorney, Shelly Stanwyck, Assistant City Manager, and Audrey Hooper, City Clerk, were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

ANNOUNCEMENT OF CLOSED SESSION TOPIC

City Attorney Lowell announced the following Closed Session topic.

CONFERENCE WITH LABOR NEGOTIATOR(S)

Pursuant to Government Code § 54957.6

Agency Negotiator: Monica Irons

Employee Organization: Unrepresented Management Employees

PUBLIC COMMENT ON CLOSED SESSION ITEM

Mayor Romero called for public comments. None were forthcoming and the meeting adjourned to the Closed Session.

CLOSED SESSION REPORT

City Attorney Lowell reported on the Closed Session at the commencement of the 7:00 p.m. regular meeting.

The Closed Session adjourned at 6:59 p.m.

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

Mayor Romero called the regular meeting to order 7:00 p.m. All Council Members were present.

CLOSED SESSION REPORT

City Attorney Lowell reported that Council met in Closed Session to discuss Labor Negotiations as indicated above. Council provided direction to its labor negotiator. No further reportable action was taken.

PRESENTATIONS

Mayor Romero presented certificates of appreciation to San Luis High School students for their community service.

PUBLIC COMMENT

Chuck Crotser, Board of Directors of the Prado Day Care Center, invited Council and the public to attend a program that Cal Poly students have been developing in an effort to find solutions for a Homeless Services Campus. The program will be held on Friday, June 5, from 9:00 to 11:00 a.m. at the Center.

CONSENT AGENDA

Community Development Director Mandeville and Assistant City Manager Stanwyck responded to questions raised by Council Member Ashbaugh regarding item C3, Chevron EIR Consultant Contract.

ACTION: Moved by Settle/Carter to approve the Consent Agenda as indicated below.

C1. MINUTES OF TUESDAY, MAY 5, 2009.

ACTION: Moved by Settle/Carter to waive oral reading and approve as presented; motion carried 5:0.

C2. NOMINATION OF CONTRIBUTING HISTORIC PROPERTY TO THE MASTER LIST OF HISTORIC RESOURCES AND APPROVAL OF MILLS ACT CONTRACT FOR THE PROPERTY AT 375 CHORRO STREET (CHC 21-09).

ACTION: Moved by Settle/Carter to, as recommended by the Cultural Heritage Committee to adopt Resolution No. 10090 (2009 Series): 1. placing the property at 375 Chorro Street on the City's Master List of Historic Resources with the historic name, "Chris Anholm House"; and 2. approving a Mills Act contract for the historic Chris Anholm House at 375 Chorro Street; motion carried 5:0. (Note: the agenda showed

two resolutions. However, only one was adopted for both actions. As a result, the resolution number for item B4 is not consecutive.)

C3. SELECTION OF THE EIR CONSULTANT FOR THE CHEVRON TANK FARM REMEDIATION AND REDEVELOPMENT PROJECT (92-08).

ACTION: Moved by Settle/Carter to: 1. Approve Marine Research Specialists (MRS) to serve as the Environmental Impact Report (EIR) consultant for the Chevron Tank Farm Remediation and Redevelopment Project. 2. Authorize the City Manager to execute an agreement with Marine Research Specialists (MRS) contingent upon the applicant depositing with the City the amount of the contract plus a 30% administrative fee; motion carried 5:0.

C4. FISCAL YEAR 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM APPLICATION.

ACTION: Moved by Settle/Carter to: 1. Authorize staff to submit an application for the 2009 Edward Byrne Memorial Justice Assistance Grant in the amount of \$19,201 to purchase handheld computer tablets for traffic enforcement and collision reporting. 2. If grant is awarded, authorize the City Manager to execute necessary grant documents; motion carried 5:0.

PUBLIC HEARINGS

1. NIGHT SKY ORDINANCE TO MITIGATE THE NEGATIVE EFFECTS OF OUTDOOR LIGHTING.

Community Development Director Mandeville introduced this item, following which Assistant Planner David presented the agenda report.

Mayor Romero opened the public hearing.

Bill Thoma, San Luis Obispo, spoke in support of the revisions made to the proposed ordinance.

Dane Senser, San Luis Obispo, objected to dedicating staff resources to a night sky ordinance, particularly because the sky is often obscured by coastal fog.

Chuck Crotser, San Luis Obispo, spoke in support of the proposed ordinance.

Mayor Romero closed the public hearing.

Council Members discussed the importance of the proposed ordinance in encouraging more effective and energy efficient use of lighting and eliminating light pollution.

ACTION: Moved by Marx/Ashbaugh to, as recommended by the Planning Commission and Architectural Review Commission, introduce Ordinance No. 1527 (2009 Series) amending the Municipal Code to include new Chapter 17.23 governing night sky preservation; motion carried 5:0.

2. AMENDMENTS TO MUNICIPAL CODE TITLE 17: ZONING REGULATIONS.

Community Development Director Mandeville introduced this item, following which Associate Planner Corey presented the agenda report. They responded to questions.

Mayor Romero opened the public hearing.

No comments were forthcoming.

Mayor Romero closed the public hearing.

Council discussion followed during which Council Members Marx, Ashbaugh and Mayor Romero expressed concern regarding the tandem parking provision. Staff was encouraged to monitor the impacts of this provision and to return to Council with revisions if warranted.

ACTION: Moved by Settle/Ashbaugh to, as recommended by the Planning Commission, introduce Ordinance No. 1528 (2009 Series) to approve the Negative Declaration of Environmental Impact (ER 67-08) and adopt the proposed amendments to Title 17 (Zoning Regulations) of the Municipal Code; motion carried 5:0.

3. REVISED PLAN LINE SETBACK ON BROAD STREET, FROM HIGUERA STREET TO PISMO STREET (O 132-08).

Deputy Public Works Director Bochum introduced this item, following which Planner Jamie Hill, PMC Consulting, presented the agenda report. They responded to Council's questions.

Mayor Romero opened the public hearing.

Carol Florence, Oasis Associates representing the Garden Street Terraces project, displayed drawings of the existing setback plan line and of the first floor of the proposed Garden Street Terraces project. She explained that the revised plan line would eliminate a substantial portion of the project. She asked, therefore, that the portion of the plan line between Marsh and Higuera Streets be relinquished.

Mayor Romero closed the public hearing.

Mayor Romero explained why he did not believe that the revised plan line setback proposed for the area of Broad Street between Marsh and Higuera Streets would be

needed in relieving future traffic congestion. He recommended that this area be removed from the revised plan line setback.

During Council discussion regarding Mayor Romero's suggestion, Council Member Marx noted the three General Plan policies referenced in the agenda report and explained why she would be supporting the staff recommendation.

ACTION: Moved by Romero/Carter to introduce Ordinance No. 1529 (2009 Series) with a revision to solely relinquish the plan line on Broad Street between Marsh and Higuera Streets, thereby leaving in place the remaining plan line setback on Broad Street specified in Municipal Code Section 17.74.130; motion carried 4:1 (Marx opposed).

Council Member Marx stated for the record that she supported narrowing Broad Street, but did not believe any of the proposed area should have been excluded from the proposed revised plan line setback as recommended by staff.

Council recessed from 8:43 to 8:53 p.m. and the meeting reconvened with all members present.

BUSINESS ITEMS

4. **AFFORDABLE HOUSING FUND AWARDS FOR JUDSON TERRACE HOMES, AIDS SUPPORT NETWORK, AND SLO COUNTY HOUSING TRUST FUND.**

Community Development Director Mandeville introduced this item, following which Housing Programs Manager Codron presented the agenda report and responded to questions.

Public Comments

Roger Jump, Administrator of Judson Terrace Homes, spoke on behalf of the application for termite work submitted by Judson Terrace Homes.

David Kilburn, Coordinator of Finance for the Aids Support Network (ASN), spoke on behalf of the application submitted by the ASN.

Jerry Rioux, Executive Director of the Housing Trust Fund (HTF), spoke on behalf of the application submitted by the HTF.

Jim Rendler, Director of Land Acquisition for ROEM Development, discussed a proposal being developed for the Villages at Broad Street project, which will consist solely of affordable rental units.

---end of public comments---

Council Members spoke in support of the recommend awards.

ACTION: Moved by Settle/Marx to adopt Resolution No. 10092 (2009 Series) approving Affordable Housing Fund (AHF) awards for Judson Terrace Homes, AIDS Support Network (ASN) and SLO County Housing Trust Fund (HTF), as follows: 1. Approve an award for termite treatment at Judson Terrace Homes in the amount of \$45,000. 2. Approve an award for ASN in the amount of \$82,780 to create a new, one-bedroom, low-income apartment unit and extend the term of affordability for three existing units to 55 years. 3. Approve an award of \$30,000 for HTF to be used for operating support; motion carried 5:0.

5. 1016 WALNUT STREET REHABILITATION, SPECIFICATION NO. 90715.

Director of Public Works Walter introduced this item, following which Engineer III McGuire presented the agenda report.

Public Comments

John Slobodnik, San Luis Obispo resident and employee of J.M. Reiss, concurred with the agenda report.

---end of public comments---

ACTION: Moved by Carter/Marx to award a contract to J.M. Reiss + Associates in the amount of \$35,100 for the 1016 Walnut Street Rehabilitation, Specification No. 90715 and authorize the Mayor to execute the agreement; motion carried 5:0.

COUNCIL LIAISON REPORTS

Council Member Marx reported on her attendance at the Air Pollution Control District meeting on May 27th.

Council Member Carter reported on his attendance at a recent meeting of the Citizens' Advisory Council Meeting of the California Men's Colony, as well as on his attendance at a meeting of the Chamber of Commerce's Town Gown Committee.

Council Member Ashbaugh acknowledged the City's winning of the Bicycle Group Challenge during Bike Month. He reported on his attendance at a presentation by a Cal Poly Engineering class led by Eugene Jud last Friday on proposed bicycle path alternatives between SLO and Morro Bay. He also reported on his attendance at a meeting of the Homeless Oversight Services Committee, at the Economic Forecast presentation, and at an academy for newly elected officials held by CALJPIA (California Joint Powers Insurance Authority).

Mayor Romero reported on his attendance in May at the Student Community Liaison Committee meeting, Cal Poly's President's Community Services Awards presentation, Sam Blakeslee's recognition of Veterans in Mitchell Park, the Johnson Ranch opening and ribbon cutting, and a Nacimiento Project meeting.

Council Member Carter reported on the ribbon cutting ceremony at the Senior Center last week.

COMMUNICATIONS

None.

There being no further business to come before the City Council, Mayor Romero adjourned the meeting at 9:45 p.m.



Audrey Hooper
City Clerk

APPROVED BY COUNCIL: 06/16/09