



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

Tuesday, April 7, 2009

7:00 P.M.

REGULAR MEETING

Council Chamber
990 Palm Street

CALL TO ORDER: Mayor Dave Romero

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

PLEDGE OF ALLEGIANCE

PRESENTATION

“DAY AND MONTH OF THE CHILD” PROCLAMATION. (ROMERO – 5 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 FEBRUARY 17, FEBRUARY 24, FEBRUARY 25, AND MARCH 3, 2009.
(HOOPER)

RECOMMENDATION: Waive oral reading and approve as presented.



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.

C2. CANCELLATION OF CITY COUNCIL MEETING. (HOOPER)

RECOMMENDATION: Cancel the regular City Council meeting of Tuesday, August 18, 2009.

C3. USE AGREEMENT BETWEEN THE CITY OF SAN LUIS OBISPO AND THE SAN LUIS OBISPO BASEBALL ALLIANCE, LLC FOR USE OF THE SAN LUIS OBISPO BASEBALL STADIUM FOR 2009. (KISER/BREMER)

RECOMMENDATION: 1. Approve an agreement with San Luis Obispo Baseball Alliance, LLC for use of the San Luis Obispo Baseball Stadium for the 2009 season. 2. Authorize the Mayor to execute the agreement between the City of San Luis Obispo and the San Luis Obispo Baseball Alliance, LLC.

C4. CHORRO-HATHWAY WATER AND SEWER IMPROVEMENTS, SPECIFICATION NO. 90640. (WALTER/MATTINGLY/LAWRENCE)

RECOMMENDATION: 1. Approve a Contract Change Order for additional work on the Chorro-Hathway Water and Sewer Improvements Project, Specification No. 90640. 2. Approve a transfer of funds in the amount of \$43,500 from Water Distribution System Improvements Main Account and \$132,600 from the Sewer Collection System Improvement Main Account to this project's account.

C5. REZONING PROPERTY AT APN 004-951-009 TO R-3-S AND APPLYING THE PLANNED DEVELOPMENT OVERLAY TO THE ENTIRE PROPERTY AT 851 AND 860 HUMBERT AVENUE; GPA/R/PD 27-06. (MANDEVILLE/HILL)

RECOMMENDATION: Adopt Ordinance No. 1523 (2009 Series).

C6. MICROSURFACING 2008-2009 PROJECT, SPECIFICATION NO. 90893. (WALTER/GUZMAN)

RECOMMENDATION: 1. Approve plans and specifications for the Microsurfacing 2008-09 Project, Specification No. 90893. 2. Authorize staff to advertise for bids and authorize the City Manager to award the contract if the lowest responsible bid is within the Engineer's Estimate of \$704,000. 3. Approve the transfer of \$90,000 from the Capital Improvement Project Reserve Account to fund construction management.

C7. ORDINANCE AMENDING TAXICAB AND TAXI DRIVER PERMIT REGULATIONS. (LINDEN/PARKINSON)

RECOMMENDATION: Adopt Ordinance No. 1524 (2009 Series).

C8. ORDINANCE AMENDING MUNICIPAL CODE CHAPTER 9.05 – UNDERAGE PERSONS AND ALCOHOL (SOCIAL HOST ORDINANCE). (LINDEN/STALEY)

RECOMMENDATION: Adopt Ordinance No. 1525 (2009 Series).

C9. 2009 OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) HIRING RECOVERY PROGRAM GRANT APPLICATION. (LINDEN/ELLSWORTH)

RECOMMENDATION: 1. Authorize staff to submit an application for a 2009 Federal Community Oriented Policing Services (COPS) Hiring Recovery Program Grant application in the amount of \$863,732 to fund two entry-level police officer positions for three years to staff the Neighborhood Team community policing program that was not implemented due to budget reductions. 2. If grant is awarded, authorize the City Manager to execute necessary grant documents.

C10. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM APPLICATION. (LINDEN/ELLSWORTH)

RECOMMENDATION: 1. Authorize staff to submit an application for a 2009 Edward Byrne Memorial Justice Assistance Grant in the amount of \$78,925 to fund a half time Records Clerk position for two years, or police equipment and technology. 2. If grant is awarded, authorize the City Manager to execute necessary grant documents.

C11. DISPATCH CENTER/FIRE STORAGE FACILITY PROJECT AGREEMENTS. (STATLER/SCHMIDT)

RECOMMENDATION: Authorize the City Manager to execute agreement actions for design and engineering services related to the Dispatch Center/Fire Storage Facility project as follows: 1. Amendment No. 9 to the design services agreement with RRM Design Group for expanded design and construction coordination and oversight services in the amount of \$93,600. 2. Construction materials inspection and testing services agreement with Earth Systems Pacific in an amount not to exceed \$131,710.

PUBLIC HEARINGS

1. APPEALS OF THE TREE COMMITTEE'S DECISION TO DENY HOMEOWNERS' REQUESTS TO REMOVE ONE TREE EACH AT 1745 AND 1750 DE ANZA COURT. (WALTER/PELLEMEIER – 40 MINUTES)

RECOMMENDATION: 1. Adopt a resolution denying the appeal of the Tree Committee's decision to not allow the homeowner to remove one Monterey pine tree (Pinus radiata) at 1745 De Anza Court. 2. Adopt a resolution denying the appeal of the Tree Committee's decision to not allow the homeowner to remove one Monterey pine tree (Pinus radiata) at 1750 De Anza Court.

2. 2008-09 ARRA PROGRAM OF PROJECTS FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5307 GRANTS. (WALTER/WEBSTER – 10 MINUTES)

RECOMMENDATION: 1. Conduct a public hearing on the American Recovery and Reinvestment Act (ARRA) 2009-09 Federal Transit Administration Program of Projects. 2. Adopt a resolution authorizing the Public Works Director to file a grant application and execute a grant agreement with the Federal Transit Administration in the amount of \$1,023,660.

3. **PARKING FINE INCREASE FOR STATE AND COUNTY PENALTIES.**
(WALTER/HORCH – 10 MINUTES)

RECOMMENDATION: This item has been removed from the Agenda. No action will be taken at this meeting.

BUSINESS ITEMS

4. **SCADA SYSTEM UPGRADE ASSESSMENT REPORT.** (MATTINGLY/HENDERSON – 20 MINUTES)

RECOMMENDATION: Receive a presentation on the Supervisory Control and Data Acquisition (SCADA) System Upgrade Assessment Report for Utilities Department operations prepared by DLT&V Systems Engineering.

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 Administrative Officer 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.