



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

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**Tuesday, April 20, 2010**

4:00 P.M.  
7:00 P.M.

**SPECIAL MEETING**  
**REGULAR MEETING**

990 Palm Street

**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

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

INTRODUCTION

**INTRODUCTION OF CHILDREN'S SERVICE SUPERVISOR, JOHN MACON.** (KISER  
– 5 MINUTES)

**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)



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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.



**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 23, 2010. (STANWYCK/CANO)**

RECOMMENDATION: Waive oral reading and approve as presented.

**C2. FINAL ADOPTION OF THE URBAN STORM WATER QUALITY MANAGEMENT AND DISCHARGE CONTROL ORDINANCE. (WALTER/LYNCH)**

RECOMMENDATION: Adopt Ordinance No. 1543 (2010 Series), repealing Chapter 12.08 Rain Water Drains of the Municipal Code and adopting a new Chapter 12.08 entitled Urban Storm Water Quality Management and Discharge Control of the Municipal Code.

**C3. FINAL ADOPTION OF TREE ORDINANCE. (WALTER/PELLEMEIER)**

RECOMMENDATION: Adopt Ordinance No. 1544 (2010 Series), replacing Section 12.24 of the Municipal Code.

**C4. FINAL ADOPTION OF ORDINANCE NO. 1545 (2010 SERIES) TO REPEAL AND REENACT CHAPTER 8.16 (SMOKING PROHIBITED IN CERTAIN AREAS) OF TITLE XIII (HEALTH AND SAFETY) OF THE SAN LUIS OBISPO MUNICIPAL CODE. (STANWYCK/ELKE)**

RECOMMENDATION: Adopt Ordinance No. 1545 (2010 Series).

**C5. FINAL ADOPTION OF UNRULY GATHERING ORDINANCE. (LINDEN)**

RECOMMENDATION: Adopt Ordinance No. 1546 (2010 Series) adding Chapter 9.13 to the San Luis Obispo Municipal Code prohibiting unruly gatherings on private property.

**C6. FIRE STATIONS 2 AND 3 COMMUNICATION BUILDINGS, SPECIFICATION NO. 90222. (WALTER/MCGUIRE)**

RECOMMENDATION: 1. Award a contract and authorize the City Manager to execute a contract with Holland Construction in the amount of \$144,887 for the "Fire Stations 2 and 3 Communication Buildings, Specification No. 90222." 2. Approve a transfer of \$4,000 from the project's construction account to the project's construction management account.

**C7. CONSIDERATION OF APPROVING UPDATE TO THE CONTRIBUTING PROPERTIES LIST OF HISTORIC RESOURCES. (MANDEVILLE/HOOK/PIONA)**

RECOMMENDATION: As recommended by the Cultural Heritage Committee (CHC), adopt a resolution that removes 1415 Morro Street from the Contributing Properties List of Historic Resources.

**C8. COMMENDATION OF THE SAN LUIS OBISPO CHAMBER OF COMMERCE FOR ITS ECONOMIC VISION REPORT AND ENDORSE THE SIX-POINT ECONOMIC STRATEGY. (STANWYCK/RICHARDSON)**

RECOMMENDATION: Commend the San Luis Obispo Chamber of Commerce for its excellent work in developing the 2010 Vision of San Luis Obispo's Economic Future and endorse the six-point Economic Strategy contained with the Vision document.

**C9. REVISED 2009-10 PROGRAM OF PROJECTS FOR FEDERAL TRANSIT ADMINISTRATION SECTION 5307 GRANTS. (WALTER/WEBSTER)**

RECOMMENDATION: As recommended by the Mass Transportation Committee approve the revised Federal Transit Administration Program of Projects as follows: 1. Appropriate \$1,823,626 in approved Federal Transit Administration grant funding for the 2009-10 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 \$1,823,626.

**C10. LOS OSOS VALLEY ROAD PAVEMENT REPAIR, SPECIFICATION NO. 91004. (WALTER/HORN)**

RECOMMENDATION: 1. Award a contract and authorize the City Manager to execute an agreement with R. Burke Corporation in the amount of \$195,291.50 for construction of the "Los Osos Valley Road Pavement Repair, Specification No. 91001." 2. Authorize the transfer of \$100,370 from the Street Reconstruction and Resurfacing (R&R) Master account to this project's construction account.

**C11. APPROVAL OF USE OF JOHNSON RANCH OPEN SPACE FOR BIOLOGICAL MITIGATION ASSOCIATED WITH THE PREFUMO CREEK COMMONS PROJECT.** (STANWYCK/HAVLIK)

RECOMMENDATION: As recommended by the Parks and Recreation Commission, authorize the use of Johnson Ranch Open Space for the mitigation impacts to the Congdon tarplant resulting from the development of the Prefumo Creek Commons Project.

**C12. AGRICULTURAL CONSERVATION EASEMENT ON A SEVEN-ACRE PORTION OF THE FROM RANCH PROPERTY ON LOS OSOS VALLEY ROAD.** (STANWYCK/HAVLIK)

RECOMMENDATION: Approve a resolution authorizing the Mayor to accept the dedication of an Agricultural Conservation Easement covering an approximately seven-acre portion of From Ranch.

**C13. FIRST AMENDMENT TO OPTION AGREEMENT FOR PURCHASE OF PROPERTY FROM IRISH HILLS PLAZA WEST, LLC.** (STANWYCK/HAVLIK)

RECOMMENDATION: Authorize the Mayor to execute the First Amendment to the Option Agreement for the sale and purchase of approximately 310 acres from Irish Hills Plaza West, LLC, at a reduced purchase price of \$635,500, using funds from the City's Open Space Acquisition Fund plus outside fundraising, and with all other conditions of the option agreement remaining in full force and effect.

**C14. TRANSPORTATION IMPACT FEE CREDITS AND REIMBURSEMENT FOR THE PREFUMO CREEK COMMONS PROJECT.** (WALTER/BOCHUM)

RECOMMENDATION: 1. Approve crediting of transportation impact fees from the LOVR Sub Area Fee and Citywide Transportation Impact Fee programs for the Prefumo Creek Commons Project. 2. Approve the reimbursement of approximately \$166,000 to Madonna Enterprises in LOVR Sub Area Fees previously collected from area developers.

**C15. TRANSIT SYSTEM SAFETY, SECURITY AND DISASTER RESPONSE ACCOUNT APPLICATION AND RESOLUTION.** (WALTER/WEBSTER)

RECOMMENDATION: 1. Authorize the City Manager or her designee to execute for and on behalf of the City of San Luis Obispo, a public entity established under the laws of the State of California, the actions necessary for the purpose of obtaining financial assistance provided by the California Emergency Management Agency. 2. Adopt a resolution authorizing the submittal of this and future Proposition 1B and Safety and Security grant applications. 3. Authorize staff to continue to pursue and submit applications for funding opportunities that may be available to supplement existing funding.

PUBLIC HEARING

2. **ESTABLISHMENT OF THE NEW WATER EFFICIENT LANDSCAPE STANDARDS IN CHAPTER 17.87 OF THE ZONING REGULATIONS.**  
(MATTINGLY/MUNDS – 30 MINUTES)

RECOMMENDATION: 1. Introduce an ordinance repealing Chapter 13.20 of the Municipal Code; repealing and replacing Chapter 17.87 establishing Water Efficient Landscape Standards in the Zoning Regulations (Attachment 1). 2. Adopt a resolution approving revised City standard specifications and engineering standards for landscape and irrigation design (Attachment 2).

BUSINESS ITEM

3. **AMENDMENTS TO SAFETY ENHANCEMENT ZONE ORDINANCE AND RESOLUTION TO ENACT SAFETY ENHANCEMENT ZONE DURING SPECIFIED PERIODS.** (LINDEN/STALEY – 1 HOUR)

RECOMMENDATION: 1. Introduce an ordinance amending Chapter 9.22 of the San Luis Obispo Municipal Code as follows: a. Amend section 9.22.020A to modify the fine schedule for safety enhancement zone violations; b. Amend section 9.22.020B to add Chapter 9.13 – Unruly Gatherings – to the list of eligible violations; c. Delete section 9.22.040 – City of San Luis Obispo Safety Enhancement Zone. 2. Adopt a resolution to designate a city-wide safety enhancement zone for the time periods encompassing Mardi Gras, St. Patrick’s Day and Halloween. 3. Direct staff to implement a biennial review process for safety enhancement zone designations.

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.**