



Administrative Review Board
AGENDA

Wednesday, April 17, 2024, 3:30 p.m.

Council Hearing Room, 990 Palm Street, San Luis Obispo

SPECIAL MEETING OF THE ADMINISTRATIVE REVIEW BOARD

The Administrative Review Board holds in-person meetings. Zoom participation will not be supported at this time.

INSTRUCTIONS FOR PUBLIC COMMENT:

Public Comment prior to the meeting (must be received 3 hours in advance of the meeting):

Mail - Delivered by the U.S. Postal Service. Address letters to the City Clerk's Office at 990 Palm Street, San Luis Obispo, California, 93401.

Email - Submit Public Comments via email to advisorybodies@slocity.org. In the body of your email, please include the date of the meeting and the item number (if applicable). Emails *will not* be read aloud during the meeting.

Voicemail - Call (805) 781-7164 and leave a voicemail. Please state and spell your name, the agenda item number you are calling about, and leave your comment. Verbal comments must be limited to 3 minutes. All voicemails will be forwarded to the members and saved as Agenda Correspondence. Voicemails *will not* be played during the meeting.

**All correspondence will be archived and distributed to members, however, submissions received after the deadline may not be processed until the following day.*

Public Comment during the meeting:

Meetings are held in-person. To provide public comment during the meeting, you must be present at the meeting location.

Electronic Visual Aid Presentation. To conform with the City's Network Access and Use Policy, Chapter 1.3.8 of the Council Policies & Procedures Manual, members of the public who desire to utilize electronic visual aids to supplement their oral presentation are encouraged to provide display-ready material to the City Clerk by 12:00 p.m. on the day of the meeting. Contact the City Clerk's Office at cityclerk@slocity.org or (805) 781-7114.

1. CALL TO ORDER

Chair Karlin will call the Special Meeting of the Administrative Review Board to order.

2. CONSENT

Matters appearing on the Consent Calendar are expected to be non-controversial and will be acted upon at one time. A member of the public may request the Administrative Review Board to pull an item for discussion. The public may comment on any and all items on the Consent Agenda within the three-minute time limit.

2.a CONSIDERATION OF MINUTES - MARCH 27, 2024
ADMINISTRATIVE REVIEW BOARD MINUTES

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Consideration of the Administrative Review Board Minutes of March 27, 2024.

3. BUSINESS ITEMS

3.a Administrative Citation Appeal

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Consider and adopt a resolution entitled, "A Resolution of the Administrative Review Board of the City of San Luis Obispo, California, denying the appeal of Alex McLachlan, owner of 657 Howard Street, and upholding Administrative Citation No. 00034623."

4. APPEALS

Any decision of the Administrative Review Board is final unless appealed to the Superior Court. Filing for de novo review must happen within 20 days of the Board's decision pursuant to California Government Code Section 53069.4. To challenge the decision by writ, please refer to California Code of Civil Procedure Section 1094.5 or consult an attorney.

5. ADJOURNMENT

The next Special Meeting of the Administrative Review Board will be scheduled as needed.

LISTENING ASSISTIVE DEVICES are available -- see the Clerk

The City of San Luis Obispo wishes to make all of its public meetings accessible to the public. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's Office at (805) 781-7114 at least 48 hours before the meeting, if possible. Telecommunications Device for the Deaf (805) 781-7410.

Agenda related writings or documents provided to the Administrative Review Board are available for public inspection on the City's website:

<https://www.slocity.org/government/mayor-and-city-council/agendas-and-minutes>. Meeting video recordings can be found on the City's website:
<https://opengov.slocity.org/WebLink/Browse.aspx?id=61073>



Administrative Review Board Minutes

March 27, 2024, 3:30 p.m.

Council Hearing Room, 990 Palm Street, San Luis Obispo

Administrative Review Board Members Present: Member Myles Couch, Chair Alex Karlin, Vice Chair Linda Mielke

City Staff Present: Temporary Assistant City Attorney Mark Amberg, Legal Assistant Sarah Zion, Senior Legal Analyst Kelly White, Deputy City Attorney Sadie Symens

1. CALL TO ORDER

A Special Meeting of the San Luis Obispo Administrative Review Board was called to order on March 27, 2024 at 3:30 p.m. in the Council Hearing Room at City Hall, 990 Palm Street, San Luis Obispo, by Chair Karlin.

In attendance was Deputy City Attorney Sadie Symens, Code Enforcement staff John Mezzapesa and Nick Buckley.

2. CONSENT

2.a CONSIDERATION OF MINUTES - MARCH 6, 2024 ADMINISTRATIVE REVIEW BOARD MEETING

Approved the Administrative Review Board Minutes of March 6, 2024.

Motion By Vice Chair Mielke

Second By Member Couch

CARRIED

3. BUSINESS ITEMS

3.a Administrative Citation Appeal

Code Enforcement Staff presented the City's argument to the Board. The appellant presented their argument to the Board. After hearing the

presentations, the Board took a 5 minute break starting at 4:45 and ending at 4:49. When the Board reconvened, they deliberated and voted to uphold the citation.

Motion By Chair Karlin
Second By Member Couch

Ayes (2): Member Couch, and Chair Karlin

Noes (1): Vice Chair Mielke

CARRIED (2 to 1)

4. APPEALS

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5. ADJOURNMENT

The meeting was adjourned at 5:09 p.m. The next Special Meeting of the Administrative Review Board is scheduled for April 17, 2024 at 3:30 p.m. in the Council Hearing Room at City Hall, 990 Palm Street, San Luis Obispo.

APPROVED BY ADMINISTRATIVE REVIEW BOARD: XX/XX/202X



Administrative Review Board

Agenda Report

For Agenda of: 4/17/2024
Item Number: 3a

FROM: Mark Amberg, Temporary Assistant City Attorney
Prepared By: Sarah Zion, Legal Assistant

SUBJECT: APPEAL OF ADMINISTRATIVE CITATION NO. 00034623

RECOMMENDATION

Consider and adopt a resolution entitled, "A Resolution of the Administrative Review Board of the City of San Luis Obispo, California, denying the appeal of Alex McLachlan, owner of 657 Howard Street, and upholding Administrative Citation No. 00034623."

DISCUSSION

Per the direction of the Board at its meeting of March 27, 2024, its legal advisor, Temporary Assistant City Attorney Mark Amberg, began drafting a resolution to uphold administrative citation #00034623 and to deny the appeal of Alex McLachlan, owner of 657 Howard Street. The resolution will be presented to the Board and publicly posted as agenda correspondence prior to the Board's April 17th meeting. The resolution will state the Board's decision including a summary of the evidence the Board relied on in making its decision and written findings of fact and law, and include all other components required under Municipal Code Section 1.24.130. The draft resolution is being brought before the Board for further discussion and refinement, or adoption.