



Council Minutes

July 20, 2021, 5:00 p.m.

City Hall, 990 Palm Street, San Luis Obispo

Council Members Present: Mayor Heidi Harmon, Vice Mayor Erica A. Stewart, Council Member Carlyn Christianson, Council Member Andy Pease, Council Member Jan Marx

City Staff Present: Derek Johnson, City Manager, Christine Dietrick, City Attorney, Teresa Purrington, City Clerk

1. **CALL TO ORDER - CITY COUNCIL / GROUNDWATER SUSTAINABILITY AGENCY**

A Regular Meeting of the San Luis Obispo City Council, also acting as the San Luis Obispo Groundwater Sustainability Agency, was called to order on July 20, 2021 at 5:04 by Mayor Harmon, with all Members present.

2. **PLEDGE OF ALLEGIANCE**

Council Member Pease led the Council in the Pledge of Allegiance.

3. **STUDY SESSION**

3.a **STUDY SESSION: RECEIVE AN UPDATE ON THE SUSTAINABLE GROUNDWATER MANAGEMENT ACT GROUNDWATER SUSTAINABILITY PLAN**

Utilities Director Aaron Floyd and Utilities Deputy Director of Water Mychal Boerman provided an in-depth staff report and responded to Council questions.

Public Comments:
Dr. Steve Hanson

---End of Public Comment---

ACTION: The City of San Luis Obispo Groundwater Sustainability Agency (GSA), received an update on the Sustainable Groundwater Management Act (SGMA) required Groundwater Sustainability Plan (GSP) development, and provide the following input:

1. That the GSA would like to continue with the existing governance structure.
 2. That the GSA supports staff's recommendation that GSP implementation costs including the costs to construct projects, should be borne by those benefitting from the project(s) or action(s) and that the City should only be responsible for its proportional share of GSP implementation costs.
 3. That the GSA supports the inclusion of a project to sell City Recycled Water to the Edna Valley Growers within the GSP, in alignment with existing General Plan policies.
 4. That the GSA supports staff's request for the removal of the Potable Water Sales to Golden State Water Company project from the GSP due to direct conflict with existing General Plan policies regarding outside-city potable water sales.
 5. That the GSA supports the recommendation to include all State Water-related Projects to the Edna Valley subarea and the Sentinel Peak Discharge Relocation Project within the GSP.
- 3.b ADJOURN THE STUDY SESSION FOR THE GROUNDWATER SUSTAINABILITY AGENCY

At 6:20 p.m., the Study Session of the San Luis Obispo Groundwater Sustainability Agency adjourned. The Regular Meeting of the City Council resumed at 6:30 p.m.

4. PRESENTATIONS

4.a CITY MANAGER REPORT

City Manager Derek Johnson provided a report on upcoming projects.

4.b PRESENTATION ON KEEPING OPEN SPACE FIRE-SAFE THIS SUMMER

Sustainability & Natural Resources Official Bob Hill and City Biologist Freddy Otte provided a presentation on keeping our Open Space fire-safe this summer.

5. PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA

Public Comment:

Tyron McSorley

Jeffery Specht

Laura Lee Waldorf

--End of Public Comment--

6. CONSENT AGENDA

Public Comment:

Emma Saperstien - Item 6e

--End of Public Comment--

Motion By Council Member Christianson

Second By Council Member Pease

To approve Consent Calendar Items 6a - 6n.

Ayes (5): Mayor Heidi Harmon, Vice Mayor Stewart, Council Member Christianson, Council Member Pease, and Council Member Marx

CARRIED (5 to 0)

6.a WAIVE READING IN FULL OF ALL RESOLUTIONS AND ORDINANCES

Waive reading of all resolutions and ordinances as appropriate.

6.b MINUTES REVIEW - JULY 6, 2021 COUNCIL MINUTES

6.b.1 CITY COUNCIL DRAFT MINUTES OF JULY 6, 2021

Approve the minutes of the July 6, 2021 Council Meeting.

**6.c SUCCESSOR MEMORANDUM OF AGREEMENTS WITH THE
FIREFIGHTERS, LOCAL 3523, THE POLICE OFFICERS' ASSOCIATION
AND RESOLUTIONS FOR THE UNREPRESENTED MANAGEMENT
AND CONFIDENTIAL GROUPS**

1. Adopt Resolution No. 11265 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, adopting and ratifying the Memorandum of Agreement between the City of San Luis Obispo and the International Association of Firefighters, Local 3523, for the period of January 1, 2021 to December 31, 2023"; and

2. Adopt Resolution No. 11266 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, adopting and ratifying the Memorandum of Agreement between the City of San Luis Obispo and the San Luis Obispo Police Officers' Association for the period of July 1, 2021 to June 30, 2024"; and
3. Adopt Resolution No. 11267 (2021 Series) entitled, "A Resolution of the Council of the City of San Luis Obispo, California, amending Management Compensation for appointed officials, department heads, and management employees and superseding previous resolutions in conflict"; and
4. Adopt Resolution No. 11268 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, regarding compensation for the Unrepresented Confidential Employees and superseding previous resolutions in conflict"; and
5. Adopt a Regular and Supplemental Employee Salary Schedule effective July 20, 2021, as required by California Public Employees Retirement System.

6.d ADVISORY BODY APPOINTMENT FOR UNSCHEDULED VACANCY

Confirm the appointment of Anni Wang to the Investment Oversight Committee as recommended by the Council Liaison Subcommittee.

6.e SAN LUIS OBISPO MUSEUM OF ART LEASE AMENDMENT AND COMMUNITY PARTNERSHIP AGREEMENT

Approve a Lease Amendment and Community Partnership Agreement between the City of San Luis Obispo and the San Luis Obispo Museum of Art, in a final form to the satisfaction of the City Attorney.

6.f RAILROAD SAFETY TRAIL TAFT TO PEPPER ADDITIONAL SIDEWALK AND LIGHTING – CONTRACT CHANGE ORDERS, SPEC #91375

1. Authorize the installation of shared-use path lighting per City Engineering Standards along the Railroad Safety Trail (Taft to Pepper) alignment, deviating from Architectural Review Commission Resolution No. ARC-1008-17, Condition 3, which calls for "bollard style lighting"; and
2. Approve a construction contract change order to increase the Railroad Safety Trail (Taft to Pepper) Project construction contract by \$40,000 to cover anticipated costs to install additional path safety lighting; and

3. Approve the transfer of \$120,000 in funds from the Street Reconstruction and Resurfacing Master Account (Spec. No. 90346) to the Railroad Safety Trail (Taft to Pepper) project account (Spec. No. 91375) to fund additional pavement restoration along Pepper Street, increasing the total Railroad Safety Trail project budget from \$6,060,108 to \$6,180,108; and
4. Authorize the City Engineer to approve subsequent construction contract change orders up to and in excess of \$100,000 if within total available project budget of \$6,180,108.

6.g CALIFORNIA BOULEVARD AND FOOTHILL BOULEVARD RAILROAD CROSSING GRANT FUNDING AGREEMENT AND REQUEST FOR PROPOSALS FOR DESIGN SERVICES

1. Adopt Resolution No. 11269 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, authorizing the City Manager to execute Service Contract No. 50LP291 with the California Department of Transportation for the provision of Highway Railroad Grade Crossing Safety Program (Section 130) Grant Funds for the California & Foothill Railroad Crossing Upgrades Project;" and
2. Authorize the City Manager to execute subsequent amendments to the Caltrans Service Contract as needed to facilitate completion of the California & Foothill Railroad Crossing Upgrades Project; and
3. Authorize the Finance Director to augment the budget, by accepting and appropriating Section 130 Program Grant Funds to the California & Foothill Railroad Crossing Upgrades Project account (Spec. No. 91293) pursuant to the Caltrans Service Contract and any subsequent amendments to this contract; and
4. Authorize the issuance of a Request for Proposals (RFP) for Consultant Design Services for the California & Foothill Railroad Crossing Upgrades Project (Specification No. 91293); and
5. Authorize the City Manager to award the Consultant Design Services contract if proposals are within the authorized reimbursable project budget for preliminary engineering pursuant to the Caltrans Service Contract.

6.h AUTHORIZATION TO APPLY FOR GRANT FUNDING FOR THE URBAN FLOOD PROTECTION GRANT PROGRAM

1. Adopt Resolution No. 11270 (2021 Series) entitled, "A Resolution of the City Council of San Luis Obispo, California approving the application for grant funds for the Urban Flood Protection Grant Program;" and
2. Authorize the City Manager to finalize grant agreement terms and execute the agreement (if awarded), including any amendments thereto.

6.i FY 2021-22 DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL GRANT AWARD

1. Authorize the Police Department to accept a grant award from the Department of Alcoholic Beverage Control for FY 2021-22 in an amount not to exceed \$38,126; and
2. Adopt Resolution No. 11271 (2021 Series) entitled, "A Resolution of the Council of the City of San Luis Obispo, California, authorizing grant applications for funding provided through the Department of Alcoholic Beverage Control to increase education and enforcement programs focusing on retail alcohol outlets and authorizing the City Manager to execute all related grant documents;" and
3. Authorize the Chief of Police to execute all grant application related documents and authorize the Finance Director to make the necessary budget adjustments upon the award of the grant.

6.j SELECTION OF VOTING DELEGATE AND ALTERNATES FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Appoint Council Member Andy Pease as the Voting Delegate and Vice Mayor Erica A. Stewart as Alternate Voting Delegate to vote on the City's behalf at the Annual Business Meeting of the League of California Cities on Friday, September 24, 2021.

6.k AUTHORIZATION TO APPLY FOR THE CALIFORNIA FIRE FOUNDATION WILDFIRE SAFETY & PREPAREDNESS GRANT

1. Authorize the Fire Department to apply to the California Fire Foundation Wildfire Safety & Preparedness Grant Program for a grant in the amount of \$13,711 to purchase Personal Protective Equipment coats for wildland firefighting; and

2. Authorize the City Manager, or designee, to execute the grant documents and approve the budget changes necessary to appropriate the grant amount upon notification that the grant has been awarded.

6.l EQUIPMENT SURPLUS DESIGNATION AND AUTHORIZATION OF SALE

Authorize the designation and disposal of surplus items in accordance with the City's policies and procedures as prescribed in the Financial Management Manual Sections 480-A and 480-B.

6.m MENTAL HEALTH COMMUNITY ACTION TEAM (CAT) MENTAL HEALTH CLINICIAN RFP 2021

1. Authorize the issuance of Request for Proposals for contracting services of a Mental Health Clinician for a second Mental Health Community Action Team; and
2. Authorize the City Manager to enter into an agreement with the contractor that best responds to the RFP in terms of qualifications, cost, and approach to program implementation.

6.n AUTHORIZATION TO AWARD THE TANK FARM ROAD AND ORCUTT ROAD ROUNDABOUT PROJECT, SPECIFICATION NUMBER 1000164

1. Award the construction contract for the Tank Farm Road and Orcutt Road Roundabout, Specification Number 1000164 to Souza Engineering Contracting Inc. DBA Souza Construction in the amount of \$3,504,179; and
2. Authorize the City Manager to approve future construction contract change orders in excess of \$100,000, if within the project construction contingency budget of \$525,627.

6.o RESCHEDULE THE CITY COUNCIL MEETING IN AUGUST 2021

Reschedule the Regular City Council Meeting of August 17, 2021 to August 24, 2021.

7. STUDY SESSION

7.a STUDY SESSION: OPEN SLO LONG-TERM STRATEGIES

Public Works Director Matt Horn and Transportation Manager Luke Schwartz provided an in-depth staff report and responded to Council questions.

Public Comments:

Molly Kern

Bettina Swigger

---End of Public Comment---

ACTION: The Council received a presentation on potential long-term strategies for various elements of the Open SLO program; and provide the following preliminary direction to staff to guide long-term program and policy development for the following Open SLO program activities:

Parklets

- Yes, to continuing.
- There should be design standard however there should be flexible
- The fee for the parklets should be tiered.
- There should notification to surrounding businesses.

Sidewalk Dining

- Continue on a case-by-case basis as not all sidewalks are wide enough.
- There should be a fee whether there is table service or not.

Outdoor Dining in Private Parking Lots

- Yes, to continuing but only if minimum parking requirements can be met
- There should be design standards

Monterey Street Configuration

- Retain with current one-way configuration.
 - Public art and murals, walking areas, more landscaping
 - Outdoor seating scaled back and become more pedestrian
 - Include Mission Plaza and dog leg
- Prior to car-light configuration want to know what the trade-offs are.

8. LIAISON REPORTS AND COMMUNICATIONS

Council Member Pease gave an update on SLOCOG wanting to increase northbound and southbound trains. Council Member Pease asked about the Study Session regarding bees and wanted to confirm what the scope of the item should be. By consensus, the Council agreed the study session should look at allowing bees in urban agriculture areas or for education.

Vice Mayor Stewart thanked Council Member Marx for bringing together a meeting of the Central Coast Community Energy group.

Council Member Marx updated the Council on the hiring of an Executive Director for IWMA.

9. ADJOURNMENT

The meeting was adjourned at 9:50 p.m. As approved by City Council on December 8, 2020, during the annual calendar review, the August 3, 2021 Council Meeting has been cancelled. The next Regular Meeting of the City Council will be held on **August 17, 2021 at 6:00 p.m. in the Council Chambers at City Hall**, 990 Palm Street, San Luis Obispo, California.

APPROVED BY COUNCIL: XX/XX/202X