



Council Minutes

**September 3, 2024, 5:30 p.m.
City Hall, 990 Palm Street, San Luis Obispo**

Council Members Present: Council Member Emily Francis, Council Member Jan Marx, Council Member Michelle Shoresman, Vice Mayor Andy Pease, Mayor Erica A. Stewart

City Staff Present: Interim City Manager Whitney McDonald, Christine Dietrick, City Attorney, Teresa Purrington, City Clerk

1. CALL TO ORDER

A Regular Meeting of the San Luis Obispo City Council was called to order on September 3, 2024 at 5:30 p.m. in the Council Chambers, 990 Palm Street, San Luis Obispo, by Mayor Stewart.

2. PLEDGE OF ALLEGIANCE

Mayor Stewart led the Council in the Pledge of Allegiance.

3. PRESENTATIONS

3.a HISPANIC, LATINX, LATINO HERITAGE MONTH PROCLAMATION

Mayor Stewart presented a proclamation declaring September as "Hispanic, Latinx, Latino Heritage Month" to Rick Mayfield on behalf of Latino Outreach Council.

3.b ANNUAL PRESENTATION FROM CENTRAL COAST COMMUNITY ENERGY (3CE)

The City Council received the annual Central Coast Community Energy (3CE) presentation from Catherine Stedman, Chief Communication Officer for 3CE.

3.c CITY MANAGER REPORT

City Manager Whitney McDonald provided a report on upcoming projects.

4. PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA

Public Comment:

Anne Hodges

Julia Albers

--End of Public Comment--

5. CONSENT AGENDA

Public Comments:

Steve Delmartini - Item 5g

---End of Public Comment---

Motion By Council Member Francis

Second By Council Member Shoresman

To approve Consent Calendar Items 5a to 5i.

Ayes (5): Council Member Francis, Council Member Marx, Council Member Shoresman, Vice Mayor Pease, and Mayor Stewart

CARRIED (5 to 0)

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

Waive reading of all resolutions and ordinances as appropriate.

5.b MINUTES REVIEW - AUGUST 13, 2024, AUGUST 20, 2024, AND AUGUST 21, 2024 COUNCIL MINUTES

Approve the following minutes of the City Council:

- 08-13-2024 - Special Closed Session
- 08-20-2024 - Regular Meeting
- 08-21-2024 - Special Meeting and Closed Session

5.c CITY'S ETHICS TRAINING LIST UPDATE AND BIENNIAL REVIEW AND AMENDMENTS TO THE CITY'S CONFLICT OF INTEREST CODE

To adopt:

1. Resolution No. 11515 (2024 Series) entitled "A Resolution of the City of San Luis Obispo, Designating Local Agency Officials for the Purposes of California Government Code Section 53234, Listing the Officials and Advisory Bodies that Must Comply with Ethics Training Required Under Assembly Bill 1234" and

2. Resolution No. 11516 (2024 Series) entitled “A Resolution of the City Council of the City of San Luis Obispo, California, amending the City’s Conflict of Interest Code.”

5.d AUTHORIZATION TO ADVERTISE SIERRA WAY SEWER REPLACEMENT PROJECT, SPECIFICATION NO. 2000539

1. Approve the project plans and specifications for Sierra Way Sewer Replacement, Specification Number 2000539; and
2. Authorize staff to advertise for bids; and
3. Authorize the City Manager to award the Construction Contract pursuant to Section 3.24.190 of the Municipal Code, if the lowest responsible bid is within the publicly disclosed funding amount of \$3,500,000; and
4. Authorize the City Engineer to approve Contract Change Orders up to the available project budget and any amended budget subsequently approved by the City Manager up to \$200,000.

5.e ADOPT A RESOLUTION TO AMEND AUTHORIZED PRIVATE SEWER LATERAL REPLACEMENT REBATE PROGRAM

Adopt Resolution No. 11517 (2024 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, authorizing amendment of the Private Sewer Lateral Replacement Rebate Program.”

5.f AWARD CONSTRUCTION CONTRACT FOR HVAC AIR HANDLER REPLACEMENT AT PARKING SERVICES, SPECIFICATION NUMBER 2000075-07

1. Award a Construction Contract to Smith Mechanical-Electrical-Plumbing in the amount of \$180,239.00 for the HVAC Air Handler Replacement at Parking Services project, Specification Number 2000075-07; and
2. Authorize the City Manager to award the construction contract plus contingencies for a total amount of \$213,275.00; and
3. Authorize the City Engineer to approve Contract Change Orders up to the available project budget and any amended budget subsequently approved by the City Manager up to \$200,000.

- 5.g AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR A CONSULTANT TO SERVE AS THE CITY'S BELOW MARKET RATE HOUSING ADMINISTRATOR
1. Authorize the issuance of a Request for Proposals (RFP) for a Below Market Rate (BMR) Housing Administrator; and
 2. Authorize the City Manager to enter into a consultant services agreement in an amount not to exceed \$150,000 annually for the project.

- 5.h ADOPT A RESOLUTION APPROVING SLO TRANSIT TO PROVIDE FARE-FREE TRANSIT DURING RIDESHARE WEEK

Adopt Resolution No. 11518 (2024 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, approving San Luis Obispo (SLO) Transit to provide Fare-Free Transit during Rideshare Week."

- 5.i SECOND READING AND ADOPTION OF ORDINANCE NO. 1739 (2024 SERIES) APPROVING AN AMENDMENT TO TABLE 2-1 (USES ALLOWED BY ZONE) IN TITLE 17 (ZONING REGULATIONS) OF THE MUNICIPAL CODE

Adopt Ordinance No. 1739 (2024 Series) entitled, "An Ordinance of the City Council of the City of San Luis Obispo, California, approving an amendment to Table 2-1 (Uses Allowed by Zone) in Title 17 (Zoning Regulations) of the Municipal Code with an exemption from environmental review (CEQA) (CODE-0224-2024)."

6. PUBLIC HEARING AND BUSINESS ITEMS

- 6.a INTRODUCE AN ORDINANCE TO AMEND TITLE 17 (ZONING REGULATIONS) TO ALLOW CANNABIS RETAIL STOREFRONTS TO CONDUCT RETAIL SALES BY DELIVERY WITH APPROVAL OF A CONDITIONAL USE PERMIT

Community Development Director Timmi Tway and Cannabis Business Coordinator Ivana Gomez provided an in-depth staff report and responded to Council questions.

Public Comments:

None

---End of Public Comment---

Motion By Council Member Francis
Second By Council Member Shoresman

Introduce Ordinance 1740 (2024 Series) entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, approving an amendment to Table 2-1 (Uses Allowed by Zone) in Title 17 (Zoning Regulations) of the Municipal Code with an exemption from environmental review (CEQA) (CODE-0401-2024).”

Ayes (5): Council Member Francis, Council Member Marx, Council Member Shoresman, Vice Mayor Pease, and Mayor Stewart

CARRIED (5 to 0)

- 6.b INTRODUCE AN ORDINANCE TO AMEND MUNICIPAL CODE SECTION 15.04.020, SUBSECTION N, MODIFYING THE QUALIFICATIONS FOR APPOINTMENT TO THE CONSTRUCTION BOARD OF APPEALS (Estimated Time: 30 minutes)

Community Development Director Timmi Tway and Deputy Director/Chief Building Official Michael Loew provided an in-depth staff report and responded to Council questions.

Public Comments:

None

---End of Public Comment---

Motion By Council Member Marx
Second By Mayor Stewart

1. Introduce Ordinance No. 1741 (2024 Series) entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, amending Section 15.04.020, Subsection N, of the San Luis Obispo Municipal Code,” which will remove the local requirement to maintain an Accessibility Board of Appeals pursuant to Health and Safety Code 19957.5; and
2. Adopt Resolution No. 11519 (2024 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, amending the Advisory Body Handbook for revision to the Construction Board of Appeals Bylaws,” which will remove the residency requirement and change the qualifications for disabled access representatives.

Ayes (5): Council Member Francis, Council Member Marx, Council Member Shoresman, Vice Mayor Pease, and Mayor Stewart

CARRIED (5 to 0)

7. LIAISON REPORTS AND COMMUNICATIONS

Mayor Stewart provided a recap of the Special Meeting held on August 27th regarding the Liaison Reports and Communications section of the agenda. The outcome of the special meeting was that staff would include a list of the Regional Boards that each of the City Council Members is a Liaison on. For the next month and a half, Council would report on items of significance that were discussed at these meetings after the City Manager Report.

Council Member Marx indicated that on the 18th of September, the Air Pollution Control District is going to vote on providing lawn equipment trade in program. This would be a trade of gas-powered lawn equipment for a similar electric-powered lawn equipment. Council Member Marx also asked the Council if there was interest in having staff bring back an item regarding a smoking ban in multi-family residences.

Council Member Shoresman attended the Nacimiento Commission meeting on behalf of Council Member Francis, the Executive Committee meeting for the Homeless Services Oversight Council (HSOC), and the subcommittee meeting of HSOC who is looking at the grant making process to see if there are ways to use data to provide the limited funds that are available. She also indicated the Climate Coalition is holding an event on Friday, September 13th at 5:00 PM at Meadow Park.

Vice Mayor Pease attended the Central Coast Layover and Maintenance Facility Site Tour sponsored by San Luis Obispo Council of Governments; this was an event to allow the Coast Rail Coordinating Council to tour in person the site that will be the Los Angeles, San Diego, and San Luis Obispo layover facility in San Luis Obispo.

Mayor Stewart briefed the Council on a bike ride she went on with Rick Ellison and Gary Havas from Bike SLO County and discussed her observations during the ride. She attended the annual meeting with the Grand Jury and the other cities in the County to present what is happening in our City. She had a meeting with Vishesh Anand and Maurice Lyles of the Governor's Southern California Regional office and learned about grants available for nonprofit security grants and Prop 1 funds for behavioral health.

8. ADJOURNMENT

The meeting was adjourned at 7:24 p.m. The next Regular Meeting of the City Council will be held on September 17, 2024 with **Closed Session at 4:30 p.m. in the Council Hearing Room** and the **Regular Meeting at 5:30 p.m. in the Council Chambers** at City Hall, 990 Palm Street, San Luis Obispo.

APPROVED BY COUNCIL: XX/XX/2024