

RESOLUTION NO. _____ (2025 SERIES)

A RESOLUTION OF THE CITY COUNCIL OF SAN LUIS OBISPO, CALIFORNIA, AUTHORIZING STAFF TO ISSUE A FORMAL NOTICE OF CORRECTION FOR THE REPLACEMENT OF SIDEWALK ADJACENT TO THE PROPERTIES AT 360 CHORRO, 368 CHORRO, 3195 SOUTH HIGUERA, 878 ISLAY, 859 MISSION, 867 MISSION, 875 MISSION, AND 1543 MORRO, AND TO COMPLETE THE WORK SHOULD THE ADJACENT PROPERTY OWNERS FAIL TO TAKE ACTION WITHIN 14 DAYS AFTER BEING ISSUED A FORMAL NOTICE TO CORRECT, PURSUANT TO SAN LUIS OBISPO MUNICIPAL CODE 12.16.020

WHEREAS, Municipal Code Section 12.16.020, by adoption of the procedures set forth in the Streets and Highways Code Division 7, Chapter 22, requires that a property owner maintain and, when necessary, replace the sidewalk adjacent to their property so that the sidewalk will not endanger persons or property or interfere with the public convenience in the use of such sidewalk; and

WHEREAS, the portions of sidewalk adjacent to the properties located at 360 Chorro, 368 Chorro, 3195 South Higuera, 878 Islay, 859 Mission, 867 Mission, 875 Mission, and 1543 Morro (the “subject properties”) are in a condition of significant disrepair and pose a danger to persons and property and interfere with use of the sidewalks; and

WHEREAS, since issuance of the original Informal Notice to Correct, the owners of the subject properties have received no fewer than two separate notices from the City informing them of their responsibility to repair and maintain the improvements fronting their property and to compel the repair and/or replacement of such improvements; and

WHEREAS, the owners of the subject properties have failed to take the necessary action to replace the damaged and non-compliant sidewalks adjacent to their properties; and

WHEREAS, at least 90 days have passed since the second informal Notices to Correct were served upon the owners of each of the subject properties; and

WHEREAS, on May 20, 2025, Council received a staff presentation on the current specifics of the sidewalk conditions at the subject properties; and

WHEREAS, the City Council has considered all evidence, including staff’s presentation and the testimony of the property owners and interested parties.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of San Luis Obispo that:

SECTION 1. Findings. The above statements are true and constitute the findings of the City Council.

SECTION 2. Action. Staff is hereby authorized to issue Formal Notices to Correct to the Property Owners of 360 Chorro, 368 Chorro, 3195 South Higuera, 878 Islay, 859 Mission, 867 Mission, 875 Mission, and 1543 Morro, in accordance with the requirements set forth in Streets & Highways Code §§5611-5614. If work does not commence within fourteen days following the first Formal Notice to Correct, City staff is authorized to execute the work and return to the City Council upon completion of the work to report on costs and for Council's consideration of pursuit of cost recovery.

Upon motion of _____, seconded by _____, and on the following roll call vote:

AYES:

NOES:

ABSENT:

The forgoing resolution was adopted this ____ day of _____ 2025.

Mayor Erica A. Stewart

ATTEST:

Teresa Purrington
City Clerk

APPROVED AS TO FORM:

J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _____.

Teresa Purrington
City Clerk

R_____