



Council Minutes

City Hall, 990 Palm Street, San Luis Obispo

Tuesday, April 13, 2021 Special Meeting of the City Council

CALL TO ORDER

A Special Meeting of the San Luis Obispo City Council was called to order on Tuesday, April 13, 2021 at 5:33 p.m. by Mayor Harmon, with all Members present via teleconference.

ROLL CALL

Council Members

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

Council Members

Absent: None

City Staff

Present: Derek Johnson, City Manager; Christine Dietrick, City Attorney; and Teresa Purrington, City Clerk; were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

PLEDGE OF ALLEGIANCE

Mayor Harmon led the Pledge of Allegiance.

PRESENTATIONS

1. ADVISORY BODY RECOGNITION

The Mayor and City Council recognized the Advisory Body members for their service.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Tim Jouet

---End of Public Comment---

PUBLIC HEARING ITEMS AND BUSINESS ITEMS

2. INTRODUCE AN ORDINANCE AMENDING THE SAN LUIS OBISPO MUNICIPAL CODE TO ADD CHAPTER 8.10 (SHOPPING CARTS), AND AN ORDINANCE AMENDING CHAPTER 12.04 (ENCROACHMENTS AND EXCAVATIONS) AND CHAPTER 12.20 (PARK REGULATIONS)

Assistant City Manager Shelly Stanwyck, Parks and Recreation Director Greg Avakian and Public Works Director Matt Horn provided an in-depth staff report and responded to Council questions.

Public Comments:

Amman Asfaw
SBSLO Alliance
Thomas Arndt
Kevin Foote
Marshall James
Eva Ulz
Frank Kopcinski
Donna Hare Price
Lisa Jouet
Michelle M.

---End of Public Comment---

RECESS

Council recessed at 8:15 p.m. and reconvened at 8:27 p.m., with all Council Members present.

ACTION: MOTION BY COUNCIL MEMBER PEASE, SECOND BY COUNCIL MEMBER CHRISTIANSON, CARRIED 5-0 to introduce Ordinance No. 1695 (2021 Series) entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, amending Title 8, Health and Safety, of the Municipal Code to add Chapter 8.10 pertaining to the unauthorized removal of shopping carts from retail establishments and to facilitate retrieval of abandoned shopping carts;”

Revise Section 8.10.040 (Packet Page 15) as follows:

- A. “Abandoned or unattended shopping cart” means a shopping cart which is either:
- ~~1. Removed from the premises of a retail establishment by any person without the written authorization or consent of the cart’s owner; or~~
 - ~~2. Left unattended, discarded, or abandoned upon any public or private property other than the premises from which the shopping cart was removed, regardless of whether such shopping cart was removed from the premises with the authorization or consent of the cart’s owner. For purposes of this chapter, a shopping cart located on any public or private property other than the premises of the retail establishment from which such shopping cart was removed is presumed abandoned, even if in the possession of any person, unless the person possessing the shopping cart is:~~

- ~~a. The owner, or an employee or authorized agent of the owner, entitled to possession of such shopping cart;~~
- ~~b. An officer, employee or agent of a cart retrieval service hired by the owner to retrieve such carts;~~
- ~~c. Enforcing this chapter upon the Director's authority; or~~
- ~~d. Has written permission to possess such shopping cart from the owner entitled to possession of such shopping cart.~~

Revise Section 8.10.060 Prohibitions (Packet Page 17) as follows:

A. It is unlawful for any business to allow or permit the removal of a shopping cart from the premises of the cart's owner.

~~A. It is unlawful to possess a shopping cart off the premises of a retail establishment without the prior written authorization or consent of the shopping cart's owner, unless the person in possession of the shopping cart is in the process of immediately returning the shopping cart to the premises of the retail establishment.~~

~~B. It is unlawful for any person to leave, or cause to be left, a shopping cart that was in his or her possession or custody, on any public area or upon any public or private property such that it becomes an abandoned shopping cart.~~

~~C. It is unlawful to possess or use a shopping cart in City parks or open spaces and in any creek, stream bed, or riparian area located within the City.~~

ACTION: MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY COUNCIL MEMBER MARX, CARRIED 4-1 (COUNCILMEMBER PEASE VOTING NO) to introduce Ordinance No. 1696 (2021 Series) entitled, "An Ordinance of the City Council of the City of San Luis Obispo, California, amending Chapter 12.04 and Chapter 12.20 of the San Luis Obispo Municipal Code to clarify expressly that tents and similar structures are prohibited encroachments in public parks" consistent with a previously issued clarifying Memorandum.

ACTION: By consensus, the Council directed staff to continue to monitor the use of child play areas in parks, check in with the Parks and Recreation Commission and report back to the Council if there is further recommendations or direction needed from the Council.

STUDY SESSION ITEMS

3. 2020 URBAN WATER MANAGEMENT PLAN AND WATER SHORTAGE CONTINGENCY PLAN

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

Public Comments:

None

---End of Public Comment---

By consensus, Council provided the following comments to staff:

- Prohibition on wheeling water at 5 years or less.
- As part of any wheeling agreement there should be a statement at what tier it gets cut off.
- Offers of audits could be in the Watch category.
- Keep up with the irrigation situation both in residential and around the school.
- Water bill inserts may not be the best way to outreach to customer because of auto bill pay.
- Make sure to include Social Media in outreach.
- Look for incentive ideas (contests) to make saving water more fun.

COUNCIL COMMUNICATIONS AND LIAISON REPORTS

None

ADJOURNMENT

The meeting was adjourned at 9:48 p.m. The next Regular City Council Meeting is scheduled for Tuesday, April 20, 2021 at 5:30 p.m., via teleconference.

APPROVED BY COUNCIL: XX/XX/2021



Council Minutes

City Hall, 990 Palm Street, San Luis Obispo

Tuesday, April 20, 2021 Regular Meeting of the City Council

CALL TO ORDER

A Regular Meeting of the San Luis Obispo City Council was called to order on Tuesday, April 20, 2021 at 5:30 p.m. by Mayor Harmon, with all Members present via teleconference.

ROLL CALL

Council Members

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

Council Members

Absent: None

City Staff

Present: Derek Johnson, City Manager; Christine Dietrick, City Attorney; and Teresa Purrington, City Clerk; were present at Roll Call. Other staff members presented reports or responded to questions as indicated in the minutes.

PLEDGE OF ALLEGIANCE

Renoda Campbell led the Pledge of Allegiance.

PUBLIC HEARING ITEMS AND BUSINESS ITEMS

1. RATE AND METHOD OF APPORTIONMENT AMENDMENT APPROVAL FOR CITY OF SAN LUIS OBISPO COMMUNITY FACILITIES DISTRICT NO. 2019-1 (SAN LUIS RANCH)

Council Member Marx indicated she would be recusing from the item as she is considering a real property acquisition in the area.

Finance Director Brigitte Elke and Financial Analyst Esteban Cano provided an in-depth staff report and responded to Council questions.

Public Comments

None

---End of Public Comment---

ACTION: MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY COUNCIL MEMBER PEASE, CARRIED 4-0-1 (WITH COUNCIL MEMBER MARX RECUSED) To adopt a Resolution No. 11237 (2021 Series), “A Resolution of the City Council of the City of San Luis Obispo, California, calling a Special Mailed-Ballot Election related to change proceedings within City of San Luis Obispo Community Facilities District No. 2019-1 (San Luis Ranch).”

ACTION: MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY COUNCIL MEMBER PEASE, CARRIED 4-0-1 (WITH COUNCIL MEMBER MARX RECUSED) To adopt Resolution No. 11238 (2021 Series) entitled, “A Resolution of Change of the City Council of the City of San Luis Obispo, California, relating to City of San Luis Obispo Community Facilities District No. 2019-1 (San Luis Ranch).”

ACTION: MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY COUNCIL MEMBER PEASE, CARRIED 4-0-1 (WITH COUNCIL MEMBER MARX RECUSED) To introduce Ordinance No. 1697 (2021 Series) entitled, “An Uncodified Ordinance of the City of San Luis Obispo, California, levying a Special Tax for the Fiscal Year 2021-2022 and following fiscal years solely within and relating to the City of San Luis Obispo Community Facilities District No. 2019-1 (San Luis Ranch)” to Levy the Special Tax for The Fiscal Year 2021-2022 and Following Fiscal Years Solely Within the Boundaries of The San Luis Ranch CFD.”

2. AUTHORIZE THE ISSUANCE OF THE SAN LUIS RANCH CFD SPECIAL TAX BONDS, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,500,000, AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE, A BOND PURCHASE AGREEMENT AND A CONTINUING DISCLOSURE CERTIFICATE

Council Member Marx indicated she would be recusing herself from the item as she is considering a real property acquisition in the area.

Finance Director Brigitte Elke and Financial Analyst Esteban Cano provided an in-depth staff report and responded to Council questions.

Public Comments

None

---End of Public Comment---

ACTION: MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY COUNCIL MEMBER PEASE, CARRIED 4-0-1 (WITH COUNCIL MEMBER MARX RECUSED) To adopt Resolution No. 11240 (2021 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, authorizing the issuance of City of San Luis Obispo Community Facilities District No. 2019-1 (San Luis Ranch) Special Tax Bonds, Series 2021, in an aggregate principal amount of not to exceed \$20,500,000 authorizing the execution and delivery of an Indenture, a Bond Purchase Agreement and a Continuing Disclosure Certificate, authorizing the distribution of an official statement in connection therewith and authorizing the execution of necessary documents and certificates and related actions.”

PRESENTATIONS

3. CITY MANAGER REPORT

City Manager Derek Johnson provided a PowerPoint presentation updating Council on current projects and COVID-19 status.

4. INTRODUCTION OF NICK TEAGUE, WATER RESOURCES PROGRAM MANAGER; CHRISTINA CLAXTON, ENVIRONMENTAL PROGRAMS MANAGER; MATT ANDERSON, LABORATORY MANAGER; AND JORDAN LANE, SOLID WASTE COORDINATOR

Utilities Director Aaron Floyd introduced Matt Anderson, Laboratory Manager, Christina Claxton, Environmental Programs Manager, Jordan Lane, Solid Waste Coordinator and Nick Teague, Water Resources Program Manager.

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

John Ashbaugh
Michelle M
Andrew Gaebel
Michael Guiffre

---End of Public Comment---

CONSENT AGENDA

ACTION: MOTION BY COUNCIL MEMBER CHRISTIANSON, SECOND BY COUNCIL MEMBER MARX, CARRIED 5-0 to approve Consent Calendar Items 5 - 9.

5. WAIVE READING IN FULL OF ALL RESOLUTIONS AND ORDINANCES

CARRIED 5-0, to waive reading of all resolutions and ordinances as appropriate.

6. MINUTES REVIEW - APRIL 6, 2021 COUNCIL MINUTES

CARRIED 5-0, to approve the minutes of the City Council meeting held on April 6, 2021.

7. AUTHORIZATION TO ADVERTISE LAGUNA LAKE 2021 MAINTENANCE DREDGING PROJECT, SPECIFICATION NO. 91392

CARRIED 5-0, to:

1. Approve the Project Plans and Special Provisions for the Laguna Lake 2021 Maintenance Dredging Project; and
2. Authorize staff to advertise for bids; and
3. Authorize the City Manager or designee to award the construction contract for the bid total if the lowest responsible bid is within the publicly disclosed funding amount of \$650,000 and the funding amount is consistent with the adopted 2021-23 budget appropriation for this project.

8. APPROVAL OF THE FINAL TRACT MAP FOR TRACT 3140, 1137 PEACH STREET (FMAP-0542-2020)

CARRIED 5-0, to adopt Resolution No. 11241 (2021 Series) entitled “A Resolution of the City Council of the City of San Luis Obispo, California, approving the Final Map for Tract 3140 (1137 Peach Street, FMAP-0542-2020).”

9. AUTHORIZATION TO INCLUDE THE PROPERTY AT 79 BENTON WAY IN THE CITY’S INVENTORY OF HISTORIC RESOURCES AS A MASTER LIST RESOURCE (ELBERT EARLE CHRISTOPHER HOUSE)

CARRIED 5-0, to adopt Resolution No. 11242 (2021 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, adding the property located at 79 Benton Way to the Master List of Historic Resources as “The Elbert Earle Christopher House” (HIST 0675 2020).”

PUBLIC HEARING ITEMS AND BUSINESS ITEMS**10. 2021-23 FINANCIAL PLAN – STRATEGIC BUDGET DIRECTION AND MAJOR CITY GOAL WORK PROGRAM REVIEW**

Finance Director Brigitte Elke and Principal Budget Analyst Natalie Harnett provided an in-depth staff report and responded to Council questions.

Public Comments

Amman Asfaw
Marshall James
Kelly Fisher
Jim Dantona
Elle
Tim Jouet
Rylee Terry
Alejandro
Bettina Swigger
David Baldwin
Joshua Medrano
Chelsie Patterson
Rita Cassaverde
Brandon
Montzerrat Morales

---End of Public Comment---

RECESS

Council recessed at 8:35 p.m. and reconvened at 8:50 p.m., with all Council Members present.

By Consensus, the Council provided the following direction and requested that staff come back on June 1, 2021 with the adjustments to the work plan needed to make the changes:

Economic Recovery

Add \$50,000 in support for creating Community Workforce Agreements using the WRRF as a case study.

Diversity Equity Inclusion (DEI)

Crisis Intervention Training – remove from DEI work program description Increase amount for feasibility study to \$40,000 for Multi-Cultural Center.

The police department will implement new federal and state laws and mandates for police reform and update its strategic plan to integrate new requirements and return to Council for a discussion on further integration of the principles of 21st policing and other actions as determined by the City Council.

Climate Action, Open Space, and Sustainable Transportation

Look into Climate Coalition request

Remove Implementation of Open Space Winter Hours of Use from Climate Action MCG, into operating with the understanding that work will continue to be directed by Natural Resources staff.

By Consensus, the Council reviewed the remaining portions of the Strategic Budget Direction document (Ongoing Community Services, Local Revenue Measure, SOBC's, CIP and Enterprise Funds) and had no changes.

COUNCIL COMMUNICATIONS AND LIAISON REPORTS

Vice Mayor Stewart reported on the League of California Cities Quarterly Community Services Policies meeting, and the upcoming CAPSLO meeting is holding an equity summit and interviewing for a Homeless Services Manager.

Council Member Marx reported on the IWMA meeting and the status of the poly styrene ban.

ADJOURNMENT

The meeting was adjourned at 10:52 p.m. The next Regular City Council Meeting is scheduled for Tuesday, May 4, 2021 at 6:00 p.m., via teleconference.

APPROVED BY COUNCIL: XX/XX/2021

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