



## Council Minutes

**December 7, 2021, 6:00 p.m.  
Teleconference - Broadcast via Webinar**

Council Members Present:	Council Member Jan Marx, Council Member Andy Pease, Council Member Michelle Shoresman, Vice Mayor Carlyn Christianson, Mayor Erica A. Stewart
City Staff Present:	Derek Johnson, City Manager, Christine Dietrick, City Attorney, Teresa Purrington, City Clerk

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### **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 Sustainable Groundwater Agency, was called to order on December 7, 2021 at 6:03 p.m. by Mayor Stewart, with all Members present via teleconference.

### **2. PLEDGE OF ALLEGIANCE**

Vice Mayor Christianson led the Council in the Pledge of Allegiance.

### **3. PRESENTATIONS**

#### **3.a CITY MANAGER REPORT**

City Manager Derek Johnson provided a report on upcoming projects and a status update on COVID-19.

#### **3.b INTRODUCTIONS - ALEAH BERGAM, BUSINESS MANAGER FOR UTILITIES AND PAUL FIELDS, ADMINISTRATIVE ANALYST FOR PUBLIC WORKS**

Community Services Business Manager Rebecca Bernstorff introduced Aleah Bergam, Business Manager for the Utilities Department and Paul Fields, Administrative Analyst for the Public Works Department.

**4. PUBLIC COMMENT PERIOD FOR ITEMS NOT ON THE AGENDA**

Public Comment:

Kris Roudebush

Christina Lefevre Latner

*--End of Public Comment--*

**5. CONSENT AGENDA**

**Motion By** Vice Mayor Christianson

**Second By** Council Member Shoresman

To approve Consent Calendar Items 5a to 5n.

Ayes (5): Council Member Marx, Council Member Pease, Council Member Shoresman, Vice Mayor Christianson, 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 - NOVEMBER 9, 2021 AND NOVEMBER 16, 2021  
COUNCIL MINUTES**

Approve the minutes of the City Council meetings held on November 9, 2021 and November 16, 2021.

**5.c REAFFIRM RESOLUTION NO. 11278 AUTHORIZING CONTINUING TO  
MEET VIRTUALLY PURSUANT TO ASSEMBLY BILL 361**

Reaffirm Resolution No. 11278 (2021 Series) entitled A Resolution of the City of San Luis Obispo, California, proclaiming the continued need to meet by teleconference pursuant to Government Code Section 54953(e).

**5.d SECOND READING OF ORDINANCE NO. 1703 (2021 SERIES) TO  
AMEND TITLE 17 (ZONING REGULATIONS) OF THE MUNICIPAL  
CODE ADDING OBJECTIVE DESIGN STANDARDS CHAPTER 17.69  
FOR QUALIFYING RESIDENTIAL PROJECTS**

Adopt Ordinance No. 1703 (2021 Series) entitled, "An Ordinance of the City Council of the City of San Luis Obispo, California, amending Title 17 (Zoning Regulations) of the Municipal Code with Objective Design Standards for qualifying residential projects with an exemption from Environmental Review (CEQA)."

5.e SECOND READING OF ORDINANCE NO. 1704 (2021 SERIES)  
APPROVING REVISIONS TO WATER AND WASTEWATER CHAPTERS  
OF MUNICIPAL CODE TITLE 13, PUBLIC SERVICES

Adopt Ordinance No. 1704 (2021 Series) entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, amending Title 13, Sections 13.04, 13.06, 13.07, 13.08, and 13.24 of the San Luis Obispo Municipal Code.”

5.f SECOND READING OF ORDINANCE NO. 1705 (2021 SERIES) TO  
AMEND TITLE 6 (ANIMALS) AND TITLE 17 (ZONING REGULATIONS)  
OF THE MUNICIPAL CODE

Adopt Ordinance No. 1705 (2021 Series) entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, approving clarification of Bee Keeping Regulations (Title 6); and an update to the City’s Zoning Regulations (Title 17) of the Municipal Code including amendments to implement several 6th Cycle Housing Element Policies to streamline development review processes for certain housing projects, provide consistency with the updated San Luis Obispo County Airport Land Use Plan, and additional miscellaneous clean-up items with an exemption from Environmental Review (CEQA) (Zoning Regulations, CODE-0663-2021).”

5.g SECOND READING OF ORDINANCE NO. 1706 (2021 SERIES)  
APPROVING REVISIONS TO SOLID WASTE AND RECYCLING  
SECTIONS OF MUNICIPAL CODE TITLE 8, HEALTH AND SAFETY

Adopt Ordinance No. 1706 (2021 Series) entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, amending Title 8, Chapters 8.04 and 8.05 of the San Luis Obispo Municipal Code.”

5.h REVIEW OF A MILLS ACT HISTORICAL PROPERTY CONTRACT FOR  
201 BUENA VISTA AVENUE (THE KENNETH AND MARTHA  
SCHWARTZ HOUSE)

Adopt Resolution No. 11292 (2021 Series) entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, approving a Historic Property Preservation Agreement between the City and the owners of the Kenneth and Martha Schwartz House at 201 Buena Vista Avenue (Application No. HIST07482021).”

5.i REVIEW OF A MILLS ACT HISTORICAL PROPERTY CONTRACT FOR 531 DANA STREET (THE DANA/BARNEBERG HOUSE)

Adopt Resolution No. 11293 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, approving a Historic Property Preservation Agreement between the City and the Owners of the Dana / Barneberg House at 531 Dana Street (Application No. HIST05722021)."

5.j AWARD THE PARKS AND RECREATION OFFICE REHABILITATION CONSTRUCTION CONTRACT TO PRE CON, INC., SPEC. NO. 91562

1. Award a Construction Contract to Pre Con Industries, Inc. in the amount of \$544,000 for the Parks and Recreation Office Rehabilitation Project, Specification Number 91562; and
2. Appropriate \$150,000 from the Capital Reserve Funds to support the completion of the Parks & Recreation Office Rehabilitation project; and
3. Authorize the Finance Director to return unspent Capital Reserve funding to the Capital Reserve fund balance after project completion.

5.k ADVERTISEMENT OF GROUNDWATER CONTAMINATION CHARACTERIZATION PROJECT AND APPLICATION FOR PROPOSITION 1 GROUNDWATER GRANT

1. Approve the specifications for the Groundwater Contamination Characterization Project (Project), Specification No. 91506A and authorize staff to advertise the Project for bids; and
2. Authorize the City Manager to award the construction contract if the lowest responsible bid is within available project funding; and
3. Authorize staff to prepare and submit a grant application for Proposition 1 Groundwater Grant Program (Round 3, Implementation Phase), for the Project; and
4. Approve the use of up to \$642,295 of available funding for Proposition 1 Groundwater Grant Program (Round 3, Implementation Phase) application preparation (\$20,000) and a local match of a maximum of 10 percent of the total project cost (\$622,295); and
5. Authorize the City Manager, or their designee, to execute required grant application documents; and
6. Adopt Resolution No. 11294 (2021 Series) entitled "A Resolution authorizing entering into a Funding Agreement with the State Water Resources Control Board and authorizing and designating a representative for Phase 3 of the Groundwater Contamination Characterization Project".

5.l ADVISORY BODY APPOINTMENTS FOR UNSCHEDULED VACANCIES: ACTIVE TRANSPORTATION COMMITTEE, CULTURAL HERITAGE COMMITTEE, PROMOTIONAL COORDINATING COMMITTEE, TREE COMMITTEE

Confirm the appointments of Nathan Stong to the Active Transportation Committee (ATC); Leslie Terry to the Cultural Heritage Committee (CHC); Anni Wang to the Promotional Coordinating Committee (PCC); and Sadie Mae Weller to the Tree Committee (TC).

5.m CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) CLEAN CALIFORNIA REIMBURSEMENT AGREEMENT

Adopt Resolution No. 11295 (2021 Series) entitled, "A Resolution of City Council of the City of San Luis Obispo, California, authorizing the Mayor and City Manager to enter into a Reimbursement Agreement with Caltrans for the Clean California Program."

5.n APPROVE PARTICIPATION IN NATIONAL OPIOID LITIGATION SETTLEMENT AGREEMENTS

1. Approve City participation in the nationally negotiated opioid related settlement agreements with pharmaceutical distributors, McKesson, Cardinal Health and AmerisourceBergen ("Distributors"), and with manufacturer Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson ("Janssen").
2. Authorize the City Manager and City Attorney to execute documents as needed to participate in the settlement agreements.

## 6. PUBLIC HEARING AND BUSINESS ITEMS

### 6.a SUSTAINABLE GROUNDWATER MANAGEMENT PLAN ADOPTION (Estimated Time: 60 minutes)

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:

None

*---End of Public Comment---*

**Motion By** Council Member Pease

**Second By** Vice Mayor Christianson

1. Acting as the City of San Luis Obispo Groundwater Sustainability Agency, adopt Resolution No. 11296 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, acting as the City of San Luis Obispo Groundwater Sustainability Agency, adopting the San Luis Obispo Valley Basin Groundwater Sustainability Plan"; and
2. Authorize the County of San Luis Obispo Groundwater Sustainability Director, or their designee, to serve as the authorized representative for submittal of the Groundwater Sustainability Plan, and annual reports required under the Sustainable Groundwater Management Act, to the California Department of Water Resources.

*Including the change in the staff agenda correspondence provided prior to the meeting.*

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

CARRIED (5 to 0)

### 6.b CONSIDER CREATING A COUNCIL COMPENSATION COMMITTEE (Estimated Time: 45 minutes)

Deputy City Manager Greg Hermann and City Clerk Teresa Purrington provided an in-depth staff report and responded to Council questions.

Public Comments:

None

*---End of Public Comment---*

**Motion By** Vice Mayor Christianson

**Second By** Council Member Marx

To defer appointment of a Council Compensation Committee and directed staff to return to Council with a Resolution amending the Council Policies and Procedures (CP&P) to allow biennial Consumer Price Index (CPI) increases to Council and Planning Commission and Architectural Review Commission salaries without appointing a Council Compensation Committee.

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

CARRIED (5 to 0)

**7. LIAISON REPORTS AND COMMUNICATIONS**

Council Member Pease provided updates on SLOCOG and the Nacimiento Water Commission.

Council Member Marx provided an update on IWMA.

Mayor Stewart provided an update on City/University Quarterly Meeting, the Multi-Cultural Workshop and SLOMA.

**8. ADJOURNMENT**

The meeting was adjourned at 8:35 p.m. The next Regular City Council Meeting been rescheduled to January 11, 2022 at 6:00 p.m., via teleconference.

APPROVED BY COUNCIL: XX/XX/202X