



## Council Minutes

March 15, 2022, 5:00 p.m.

City Hall, 990 Palm Street, San Luis Obispo

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

A Regular Meeting of the San Luis Obispo City Council was called to order on March 15, 2022 at 5:00 p.m. in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo, by Mayor Stewart.

### 2. PLEDGE OF ALLEGIANCE

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

### 3. PRESENTATIONS

#### 3.a ADVISORY BODY RECOGNITION (30 MINUTES)

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

#### 3.b PROCLAMATION - MONTH OF THE CHILD AND CHILD ABUSE PREVENTION MONTH

Mayor Stewart presented a proclamation declaring the month of April as "Month of the Child and Child Abuse Prevention Month" to Melinda Sokolowski on behalf of CAPSLO.

#### 3.c PROCLAMATION - SURVEYORS' WEEK

Mayor Stewart presented a proclamation declaring the week of March 20 - 26, 2022 as "Surveyors' Week" to George Marchenko on behalf of Wallace Group.

3.d PROCLAMATION - INTERNATIONAL TRANSGENDER DAY OF VISIBILITY

Mayor Stewart presented a proclamation declaring March 31, 2022 as "International Transgender Day of Visibility" to Jamie Woolf on behalf of The Gala Pride and Diversity Center.

3.e CITY MANAGER REPORT

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

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

Public Comment:

Kris Roudebush  
Steve Delmartini

*--End of Public Comment--*

**5. CONSENT AGENDA**

**Motion By** Vice Mayor Christianson

**Second By** Council Member Shoresman

To approve Consent Calendar Items 5a - 5c and 5e - 5l.

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

Waive reading of all resolutions and ordinances as appropriate.

5.b MINUTES REVIEW - MARCH 1, 2022 COUNCIL MINUTES

Approve the minutes of the City Council meeting held on March 1, 2022.

5.c SECOND READING AND ADOPTION OF ORDINANCE NO. 1709 (2022 SERIES) AWARDED A FRANCHISE AGREEMENT TO PHILLIPS 66 PIPELINE LLC

Adopt Ordinance No. 1709 (2022 Series) entitled, "An Ordinance of the City Council of the City of San Luis Obispo, California, granting to Phillips 66 Pipeline LLC, a franchise to construct, operate and maintain pipelines for the transportation of oil and other specified materials in the City of San Luis Obispo."

5.e AUTHORIZATION TO ADVERTISE TRANSIT FACILITY ELECTRIC VEHICLE CHARGING INFRASTRUCTURE, SPECIFICATION 1000535

1. Approve the project plans and specifications for the Transit Facility Electric Vehicle Charging Infrastructure, Specification Number 1000535; and
2. Authorize staff to advertise for bids; and
3. Authorize the Finance Director to appropriate American Rescue Plan Act (ARPA) funding and Low Carbon Transit Operations Program (LCTOP) funding upon award; and
4. Authorize the City Manager to award the Construction Contract pursuant to Section 3.24.190 of the Municipal Code for the bid total, if the lowest responsible bid is within the publicly disclosed funding limit of \$950,000 and within the available project budget; and
5. Authorize the City Engineer to approve Contract Change Orders up to the available project budget; and
6. Approve a City Sole Source purchase from ChargePoint in an amount not to exceed \$150,000 for the purchase of two ChargePoint Express 250 Chargers and authorize the Finance Director to execute and issue a Purchase Order upon receipt of final quote.

5.f REQUEST TO REMOVE THE PROPERTY AT 540 BUCHON STREET FROM THE CONTRIBUTING PROPERTIES LIST OF THE CITY'S INVENTORY OF HISTORIC RESOURCES

As recommended by the Cultural Heritage Committee, adopt a Resolution entitled "A Resolution of the City Council of the City of San Luis Obispo, California, removing the Property at 540 Buchon Street from the Inventory of Historic Resources (HIST-0727-2021)."

5.g AUTHORIZATION TO ADVERTISE VERDE / LUNETTA / RAMONA / BROAD SEWER PIPE REPLACEMENT, SPECIFICATION NO. 1000091

1. Approve the project plans and specifications for Verde/Luneta/Ramona/Broad Sewer Pipe Replacement, Specification Number 1000091; and
2. Authorize staff to advertise for bids; and
3. Authorize the City Manager, or their designee to award the Construction Contract pursuant to Section 3.24.190 of the Municipal Code for the bid total, if the lowest responsible bid is within the publicly disclosed funding amount of \$1,156,000; and
4. Authorize the City Engineer to approve Contract Change Orders up to the available project budget.

- 5.h AUTHORIZATION TO ADVERTISE ROADWAY SEALING 2022, SPECIFICATION NO. 1000560
1. Approve the project plans and specifications for Roadway Sealing 2022, Specification Number 1000560; 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 for the bid total, if the lowest responsible bid is within the publicly disclosed funding amount of \$2,600,000; and
  4. Authorize the City Engineer to approve Contract Change Orders up to the available project budget.
- 5.i AUTHORIZATION TO ENROLL IN THE FEDERAL EXCESS PERSONAL PROPERTY PROGRAM
- Adopt a Resolution entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, authorizing participation in the Federal Excess Property (FEPP) Program in Accordance with United States Forest Service Cooperative Forestry Assistance Act (CFAA) of 1978."
- 5.j AUTHORIZATION TO APPLY FOR FEDERAL EMERGENCY MANAGEMENT AGENCY ASSISTANCE TO FIREFIGHTERS GRANT
1. Authorize the Fire Department to apply for a grant to the Federal Assistance to Firefighters Grant (AFG) Program in the amount of \$46,981.41 to purchase Urban Search & Rescue equipment; and
  2. Authorize the City Manager, or designee, to execute the grant documents and approve the budget changes necessary to appropriate the grant upon notification that the grant has been awarded.
- 5.k AWARD THE STORM DRAIN CULVERT REPAIRS BROAD STREET AT LEFF STREET, SPECIFICATION NO. 91156
1. Award a Construction Contract to Souza Engineering Contracting, Inc. in the amount of \$365,611 for the Storm Drain Culvert Repairs Broad Street at Leff Street Project, Specification Number 91156; and
  2. Approve a transfer of \$470,000 from the Storm Drain Annual Asset Maintenance Account 90742 to the project account 91156; and
  3. Authorize the City Engineer to execute contract change orders within available project budget.

5.l ADOPT A RESOLUTION OF INTENT TO AMEND THE CITY’S EXISTING FRANCHISE AGREEMENTS WITH SAN LUIS GARBAGE COMPANY TO IMPLEMENT STATE ORGANICS RECYCLING LAW (SB 1383) REQUIREMENTS

Adopt a Resolution of Intent entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, declaring the City’s intent to adopt an Ordinance amending its existing franchise agreements with San Luis Garbage Company to implement Senate Bill 1383 requirements and set a public hearing for April 19, 2022” pursuant to the provisions of Article X of the City Charter.

5.d 2022 ANNUAL APPOINTMENTS TO CITY ADVISORY BODIES

**Motion By** Vice Mayor Christianson

**Second By** Council Member Marx

As recommended by the Council Liaison Subcommittees, make appointments to the City of San Luis Obispo's advisory bodies and continue to recruit for any unfilled vacant positions.

6. PUBLIC HEARING AND BUSINESS ITEMS

6.a ACCEPTANCE OF THE TRANSPORTATION DEVELOPMENT ACT AND FEDERAL SINGLE AUDITS FOR FISCAL YEAR 2020-21 (Estimated Time: 20 minutes)

Finance Director Brigitte Elke and Accounting manager Debbie Malicoat 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

Review and accept the Transportation Development Act and Federal Single Audits for Fiscal Year 2020-21.

6.b FIRE DEPARTMENT ANNUAL REPORT (Estimated Time: 45 minutes)

Fire Chief Keith Aggson and Senior Administrative Analyst James Blattler 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** Council Member Shoresman

Receive and file the Fire Department's 2021 Annual Report.

6.c 2018 AND 2019 TRAFFIC SAFETY REPORT (Estimated Time: 60 minutes)

Public Works Director Matt Horn, Transportation Planner Bryan Wheeler, and Transportation Manager Luke Schwartz 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 Pease

1. Receive the combined 2018 and 2019 Traffic Safety Reports and recommended traffic safety measures; and
2. Modify the Traffic Safety Report/Vision Zero reporting process to improve focus and efficiency of the program to support the Vision Zero goal of eliminating severe injury and fatal collisions.

Ayes (4): Council Member Pease, Council Member Shoresman, Vice Mayor Christianson, and Mayor Stewart

Noes (1): Council Member Marx

CARRIED (4 to 1)

6.d INTRODUCE AN ORDINANCE TO AMEND TITLE 10 AND ADOPT A RESOLUTION MODIFYING THE DANA STREET PARKING DISTRICT (Estimated Time: 60 minutes)

*Council Member Pease declared a conflict on this item and recused herself due to the proximity of her office to the Dana Street Parking District.*

Public Works Director Matt Horn, Parking Program Manager Gaven Hussey, and Parking Services Supervisor Alex Fuchs provided an in-depth staff report and responded to Council questions.

Public Comments:

Patricia Caspian

Gil Braga

Mary Mitchell

Derrick Williams

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

**Motion By** Vice Mayor Christianson

**Second By** Council Member Shoresman

1. Introduce an Ordinance entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, amending Title 10, Chapter 36 (Stopping, Standing and Parking for Certain Purposes or in Certain Places), of the San Luis Obispo Municipal Code Allowing for the Issuance of Limited Daytime Use Permits in the Dana Street Parking District”; and
2. Adopt a Resolution entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, modifying the Preferential Parking Permit District for the Dana Street area of the City, establishing the issuance of Limited Daytime Use Permits for commercial properties immediately adjacent to the district boundaries.”

Ayes (2): Council Member Shoresman, and Vice Mayor Christianson

Noes (2): Council Member Marx, and Mayor Stewart

Recused (1): Council Member Pease

TIED (2 to 2) Motion Failed

**Motion By** Mayor Stewart

**Second By** Council Member Marx

1. Introduce an Ordinance entitled, “An Ordinance of the City Council of the City of San Luis Obispo, California, amending Title 10, Chapter 36 (Stopping, Standing and Parking for Certain Purposes or in Certain Places), of the San Luis Obispo Municipal Code Allowing for the Issuance of Limited Daytime Use Permits in the Dana Street Parking District”; and
2. Adopt a Resolution entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, modifying the Preferential Parking Permit District for the Dana Street area of the City, establishing the issuance of Limited Daytime Use Permits for commercial properties immediately adjacent to the district boundaries.” and
3. Direct staff to look into night time parking usage for the possible inclusion of the multifamily complex with more than 8 units.

Ayes (3): Council Member Marx, Council Member Shoresman, and Mayor Stewart

Noes (1): Vice Mayor Christianson

Recused (1): Council Member Pease

CARRIED (3 to 1)

6.e RESOLUTION IN SUPPORT OF UKRAINE AS THEY DEFEND AGAINST RUSSIA (Estimated Time: 15 minutes)

Assistant to the City Manager Hans Poschman 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** Council Member Pease

Adopt a Resolution entitled, “A Resolution of the City Council of the City of San Luis Obispo, California, in support of the leaders and people of Ukraine as they defend against Russia’s massive military attack on their sovereign nation.” with the following modification in *italics*:

**WHEREAS**, the City of San Luis Obispo will take every *appropriate* action necessary to ensure that people of Russian origin in our cities will not be ostracized or discriminated against in any way as a result of the violent assault on Ukraine by the Russian government; and

**NOW, THEREFORE, BE IT RESOLVED** that the City of San Luis Obispo stands with the Ukrainian people in the defense of their sovereign nation, its democratic values, and their very lives; and **BE IT FURTHER RESOLVED** that *we support the actions of the nation in* bringing a peaceful resolution to the Russian government's violent assault on the people and the leadership of Ukraine.

And the following added to the Resolution:

**WHEREAS**, the U.S. Conference of Mayors adopted a "Resolution In Support of the Leaders and People of Ukraine as They Defend Against Russia's Massive Military Attack on Their Sovereign Nation" On March 4, 2022

**WHEREAS**, millions of refugees have already fled the worn torn Unitary Republic of Ukraine and millions of additional refugees may flee causing a significant humanitarian crisis and the need for world, state and local action to support displaced Ukrainian people;

Ayes (4): Council Member Marx, Council Member Pease, Council Member Shoresman, and Mayor Stewart

Noes (1): Vice Mayor Christianson

CARRIED (4 to 1)

## **7. LIAISON REPORTS AND COMMUNICATIONS**

Council Member Marx provided an update on the IWMA, 3CE and the Air Pollution Control District.

Mayor Stewart reported on her participation with the drawing for the affordable housing unit in San Luis Ranch and informed the Council about Cuesta Teach-In being held virtually from 1:00 PM-4:00 PM on the March 30th.

**8. ADJOURNMENT**

The meeting was adjourned at 10:23 p.m. The next Regular City Council Meeting is scheduled for April 19, 2022 at 6:00 p.m. in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo.

APPROVED BY COUNCIL: XX/XX/202X