



## Council Minutes

May 18, 2021, 6:00 p.m.

### Teleconference - Broadcast via Webinar

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

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 May 18, 2021 at 6:03 p.m. by Mayor Harmon, with all Members present via teleconference.

#### 2. PLEDGE OF ALLEGIANCE

Mayor Harmon 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 of COVID-19.

##### 3.b PRESENTATION ON CITY FARM SLO

Kayla Rutland provided a presentation on City Farm SLO.

##### 3.c LGBTQ+ PRIDE MONTH PROCLAMATION

Mayor Harmon presented a proclamation declaring May as LGBTQ+ Pride Month.

##### 3.d INTRODUCTION AND OATH OF OFFICE FOR RICK SCOTT, POLICE CHIEF

Postponed to the June 1, 2021 City Council Meeting.

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

Public Comments:

Marshall James  
Michael Giuffre  
Elle Harlow  
Alejandro

---End of Public Comment---

**5. CONSENT AGENDA**

**Motion By** Vice Mayor Stewart

**Second By** Council Member Christianson

To approve Consent Calendar Items 5a through 5k.

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

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 - MAY 4, 2021 COUNCIL MINUTES**

Approve the minutes of the City Council meeting held on May 4, 2021.

**5.c 2020-21 CLIMATE ACTION PROGRESS REPORT**

Receive and file the 2020-21 Climate Action Progress Report.

**5.d AUTHORIZATION TO ADVERTISE BROAD & LEFF CULVERT REPAIR PROJECT, SPECIFICATION NO. 91156**

1. Approve the Project Plans and Special Provisions for the Broad & Leff Culvert Repair Project; and
2. Authorize staff to advertise for bids; and
3. Authorize the City Manager to award the construction contract for the bid total if the lowest responsible bid is within the Engineer's Estimate of \$340,000 and the funding amount is consistent with the adopted 2021-23 budget appropriation for this project.

5.e 2020-21 THIRD QUARTER FINANCIAL REPORT

Receive and file an update on the status of the City's current financial position, Major City Goals, and Capital Improvement Plan projects for the third quarter of Fiscal Year 2020-21

5.f AUTHORIZATION TO ADVERTISE MEADOW PARK PATHWAYS MAINTENANCE, SPECIFICATION NO. 1000021

1. Authorize staff to advertise for bids and approve the project plans and special provisions for Meadow Park Pathways Maintenance, Specification Number 1000021; and
2. Authorize the City Manager to award the construction contract for the bid total if the lowest responsible bid is within the Engineer's Estimate of \$360,000 and the funding amount is consistent with the adopted 2021-23 budget appropriation for this project.

5.g UPDATES TO THE CITY'S COMPREHENSIVE FEE SCHEDULE TO INCLUDE NEW AND UPDATED YOUTH SERVICES, AQUATICS, AND GOLF USER FEES

Adopt Resolution No. 11244 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, adopting new fees and amending the 2021-22 Comprehensive Fee Schedule."

5.h TANK FARM ROAD / LONG STREET TRAFFIC SIGNAL REIMBURSEMENT AGREEMENT WITH TANK FARM CENTER, LLC

1. Adopt Resolution No. 11245 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, approving a Reimbursement Agreement with Tank Farm Center, LLC for construction of a traffic signal at the Tank Farm Road/Long Street Intersection;" and
2. Authorize the Mayor to execute the Reimbursement Agreement and designate the Finance Director to implement the Agreement.

5.i CITY ATTORNEY DEPARTMENT ORGANIZATIONAL ASSESSMENT AND STRATEGIC PLAN

1. Authorize the issuance of a Request for Proposals for consulting services to prepare an organizational assessment and strategic plan for the City Attorney Department; and
2. Authorize the City Manager to award the assessment contract if within the funding amount appropriated in the adopted 2021-2022 budget.

- 5.j AUTHORIZE A TAX EXCHANGE AGREEMENT WITH THE COUNTY OF SAN LUIS OBISPO TO ADDRESS TAX TRANSFERS FROM THE FROOM RANCH ANNEXATION AREA; ANNEXATION NO. 82

Adopt Resolution No. 11246 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, accepting a negotiated exchange of Tax Revenue and Annual Tax Increment between the County of San Luis Obispo and the City of San Luis Obispo for the Froom Ranch Annexation Area, as represented in the staff report and attachments dated May 18, 2021."

- 5.k EXAMINATION OF SALES AND USE TAX RECORDS

Adopt Resolution No. 11247 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, authorizing the examination of Sales and Use Tax Records."

- 5.l REACH 2021-2023 AGREEMENT AND COUNCIL LIAISON ASSIGNMENT

**Motion By** Council Member Pease

**Second By** Council Member Marx

1. Authorize the City Manager to execute a two-year contract with REACH in the amount of \$50,000 for regional economic development activities; with a change as follows:
  - Page 140 - Add to Strategic Priority 1: After target industries "as aligned with the City of San Luis Obispo's goals and objectives."
2. Appoint Vice Mayor Stewart as the Council Liaison to REACH's SLO Advisory.

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

CARRIED (5 to 0)

## 6. PUBLIC HEARING AND BUSINESS ITEMS

### 6.a INTRODUCE AN ORDINANCE TO AMEND THE AIRPORT AREA AND MARGARITA AREA SPECIFIC PLANS TO ALLOW FOR DAY CARE FACILITIES CONSISTENT WITH RESTRICTIONS THAT APPLY CITYWIDE UNDER THE MUNICIPAL CODE

Community Development Director Michael Codron and Associate Planner Rachel Cohen provided an in-depth staff report and responded to Council questions.

#### Public Comments:

Roy Ogden

Ty Safreno

---End of Public Comment---

**Motion By** Council Member Christianson

**Second By** Vice Mayor Stewart

As recommended by the Planning Commission, introduce an Ordinance entitled, "An Uncodified Ordinance of the City Council of the City of San Luis Obispo, California, amending the Airport Area and Margarita Area Specific Plans to allow for Day Care Facilities consistent with restrictions that apply citywide under the Municipal Code (SPEC-0209-2021)."

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

CARRIED (5 to 0)

### 6.b 2021 LEGISLATIVE PLATFORM

City Attorney Christine Dietrick provided an in-depth staff report and responded to Council questions.

#### Public Comments:

None

---End of Public Comment---

**Motion By** Council Member Christianson

**Second By** Council Member Marx

1. Adopt Resolution No. 11248 (2021 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, establishing the City's Legislative Action Platform for 2021 and appointing the Council Member and staff persons to act as liaison between the City of San Luis Obispo and the League of California Cities;" and
2. Confirm direction to staff on the scope and application of the legislative platform related to advocacy for non-legislative items or particular projects, with additional authority for staff to weigh in on regional initiatives in which Council has authorized City participation consistent with Major City Goals; and
3. Appoint the Mayor, City Attorney, and City Manager to act as the primary legislative liaisons between the League of California Cities and the City of San Luis Obispo, with authority to delegate to other Councilmembers or staff consistent with liaison assignments and as appropriate to the issue.

With the following changes to the Legislative Platform:

- Packet Page 190 - Clarify opening statement regarding "joining" Central Coast Community Energy (3CE).
- Add to County/Regional Priorities, "supporting the Integrated Waste Management Authority's (IWMA) legislative platform, where consistent with the City's adopted policies, platforms, and public policy and project objectives."

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

CARRIED (5 to 0)

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

Vice Mayor Stewart attended the 3CE policy meeting regarding how rates will be set going forward. She also attended the Investment Oversight Committee meeting.

Council Member Marx indicated she received 823 emails from people all over the region regarding the proposed rate changes by 3CE.

**8. ADJOURNMENT**

The meeting was adjourned at 8:23 p.m. The next Regular City Council Meeting is scheduled for June 1, 2021 at 6:00 p.m via teleconference.

APPROVED BY COUNCIL: XX/XX/202X