



## Council Minutes

June 21, 2022, 6:00 p.m.

Council Chambers, 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 June 21, 2022 at 6:00 p.m. in the Council Chambers, 990 Palm Street, San Luis Obispo, by Mayor Stewart with all Members present, and Council Member Marx participating from a remote location inside City Hall.

### 2. PLEDGE OF ALLEGIANCE

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

### 3. PRESENTATIONS

#### 3.a CITY MANAGER REPORT

City Manager Derek Johnson, Fire Chief Aggson and Communications Manager Whitney Szentesi provided a presentation on upcoming projects.

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

Public Comment:

None

*--End of Public Comment--*

### 5. CONSENT AGENDA

Public Comments:

Item 5f - Thomas Kessler

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

*Vice Chair Christianson requested that Item 5c be pulled from Consent.*

**Motion By** Vice Mayor Christianson

**Second By** Council Member Shoresman

To approve Consent Calendar Items 5a, 5b, 5d through 5p.

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 - MAY 24, 2022 AND JUNE 7, 2022 COUNCIL MINUTES**

Approve the following minutes of the City Council:

- May 24, 2022 - Special Meeting
- June 7, 2022 - Regular Meeting

**5.d AUTHORIZE THE COLLECTION OF DELINQUENT SOLID WASTE COLLECTION AND DISPOSAL ACCOUNTS**

Adopt Resolution No. 11336 (2022 Series) entitled, "A Resolution of the City of San Luis Obispo, California, authorizing the San Luis Obispo County Assessor to assess amounts due on delinquent Solid Waste Collection and Disposal Accounts as liens against the properties."

**5.e ADOPT THE SECOND AMENDED AND RESTATED JOINT POINT POWERS AGREEMENT TO ESTABLISH AN INTEGRATED WASTE MANAGEMENT AUTHORITY FOR THE CITIES OF SAN LUIS OBISPO COUNTY, CALIFORNIA**

Adopt Resolution No. 11337 (2022 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, adopting the second amended and restated Joint Powers Agreement to establish an Integrated Waste Management Authority for the cities of San Luis Obispo County, California."

- 5.f AUTHORIZATION TO ACCEPT CARPETING DONATION FROM THE HISTORY CENTER OF SAN LUIS OBISPO COUNTY
1. Accept a donation of new carpeting and associated labor for the Carnegie Library Museum; and
  2. Authorize the Mayor to sign a Donation Agreement with the History Center of San Luis Obispo.
- 5.g APPROVE A CITY SOLE SOURCE PURCHASE FOR BARRIERS TO PROTECT PEOPLE FROM VEHICLES
1. Approve a City Sole Purchase in the amount of \$331,279.73 to purchase barriers to protect people from vehicles from Meridian Rapid Defense Group; and
  2. Authorize the Finance Director to execute and issue a Purchase Order upon approval.
- 5.h AWARD CONTRACT TO R. BURKE CORPORATION FOR ROADWAY SEALING 2022, SPECIFICATION NO. 1000560
1. Award a contract to R. Burke Corporation, in the amount of \$4,457,873, for Roadway Sealing 2022, Specification Number 1000560; and
  2. Authorize the City Engineer to approve Contract Change Orders up to the available project budget; and
  3. Approve the following budget transfers to the project account:
    - a. \$4,590,475 from the Street Reconstruction and Resurfacing - Annual Asset Maintenance Account (90346);
    - b. \$100,000 from Jack House Roof and Windows Walk Railing (1000075-24);
    - c. \$214,525 from South Street Median Landscaping (1000037);
    - d. \$200,000 from Active Transportation Plan Implementation (100502);
    - e. \$35,000 from Parking Lot Maintenance (1000031);
    - f. \$150,000 from Pedestrian and Bicycle Pathway Maintenance (1000032);
    - g. \$120,000 from the Storm Drains Annual Asset Maintenance Account (90742);
    - h. \$120,000 from the Sidewalk Annual Asset Maintenance Account (90849);
    - i. \$10,000 from Water Valve Cover Adjustments (91149);
    - j. \$10,000 from the Sewer Maintenance Hole Cover Adjustments (1000084)

5.i 2022 BIENNIAL REVIEW OF THE CITY’S CONFLICT OF INTEREST CODE

Direct the review of the City’s Conflict of Interest Code and the filing of a Biennial Notice with the City Clerk regarding such review, as required by the Political Reform Act.

5.j CULTURAL ARTS DISTRICT PARKING STRUCTURE AND PARKING STRUCTURE MAINTENANCE AND REHABILITATION PROJECTS

**Cultural Arts District Parking Structure Recommendations:**

1. Appropriate \$1,387,900 of Parking Fund Unreserved Working Capital Balance to the Cultural Arts District Parking Structure Project as forecasted in the FY22/23 Budget Supplement; and,
2. Authorize advertisement of the Cultural Arts District Parking Structure Phase 1A: Dry Utility Undergrounding project; and,
3. Authorize the City Manager to award the Phase 1A construction contract if within available project budget; and,
4. Authorize the City Engineer to execute PG&E and Telecom service fee and easement agreements including payment of service relocation fees if within available project budget; and,
5. Authorize advertisement of the Cultural Arts District Parking Structure Phase 1B: Site Demolition and Grading project; and,
6. Authorize the City Manager to award the Phase 1B construction contract if within available project budget; and,
7. Authorize the City Engineer to issue contract change orders for Cultural Arts District Parking Structure Phase 1A, Phase 1B, and Phase 2 construction projects in excess of \$200,000 if within available project budget; and,
8. Authorize the City Manager to advertise and award the Cultural Arts District Parking Structure Phase 2: Parking Structure Construction and Site Improvements upon Budget Appropriation; and,
9. Authorize advertisement of a Request for Proposals for Construction Management consultant services for the Cultural Arts District Parking Structure Phase 1A, 1B, and 2 projects in a form agreed on by the City Engineer and City Attorney; and,
10. Authorize the Public Works Director to enter into an agreement with the selected Construction Management firm; and,
11. Authorize the City Engineer to amend the Construction Management agreement within available project budget; and,
12. Authorize the City Engineer to amend Watry Design, Inc. contract if within available project budget; and,

**Parking Structure Maintenance Projects Recommendations:**

1. Authorize advertisement of the 842 & 919 Palm Parking Structure Maintenance Project; and,
2. Authorize advertisement of the 871 Marsh Parking Structure Maintenance Project; and,
3. Authorize the City Manager to award the above parking structure maintenance projects if within available budget; and,
4. Adopt Resolution No. 11338 (2022 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, approving an amendment to the 2022-23 Budget Allocation" authorizing the Finance Director to transfer funding between the parking structure maintenance project accounts as necessary to award the construction contracts; and,
5. Authorize the City Engineer to issue contract change orders for the Parking Structure Maintenance projects in excess of \$200,000 if within available project budget.

**5.k APPROVE A THREE-YEAR CONTRACT RENEWAL FOR MICROSOFT OFFICE 365 GOVERNMENT PLAN SUBSCRIPTION LICENSES**

1. Approve a three-year contract renewal for Microsoft Office 365 Government Plan subscription licenses; and
2. Per Municipal Code 3.24.060E, authorize waiver of formal bids to purchase Microsoft Office 365 subscription licensing through the cooperative agreement under the County of Riverside Master Agreement – PSA – 0001524, Enterprise Agreement (EA) - 8084445; or below the cooperative purchasing net cost within the same terms and conditions; and
3. Authorize the City Manager to approve related Purchase Order Requisitions through the duration of the agreement.

**5.l AUTHORIZE A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF SAN LUIS OBISPO AND AVILA RANCH DEVELOPERS, INC. FOR RECYCLED WATER**

Adopt Resolution No. 11339 (2022 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, approving a Reimbursement Agreement between the City of San Luis Obispo and Avila Ranch Developers, Inc."

- 5.m SECOND READING OF ORDINANCE NO. 1714 (2022 SERIES)  
AMENDING TITLE 10, CHAPTER 52 (PARKING METERS), OF THE SAN  
LUIS OBISPO MUNICIPAL CODE TO ESTABLISH PARKING METER  
AND PARKING PAYMENT CENTER RATES

Adopt Ordinance No. 1714 (2022 Series) entitled, "An Ordinance of the City Council of the City of San Luis Obispo, California, Amending Title 10, Chapter 52 (Parking Meters), of the San Luis Obispo Municipal Code" establishing parking meter and parking payment center rates.

- 5.n ADOPT A CORRECTED REGULAR AND CONTRACT EMPLOYEE  
SALARY SCHEDULE

Adopt a Regular and Contract Salary Schedule effective June 23, 2022, as required by the California Public Employee Retirement System.

- 5.o ADOPT A RESOLUTION CALLING FOR THE NOVEMBER 8, 2022  
GENERAL MUNICIPAL ELECTION AND ADOPTING REGULATIONS

Adopt Resolution No. 11340 (2022 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, calling for the holding of a General Municipal Election to be held on Tuesday, November 8, 2022, for the election of certain Officers as required by the provisions of the Charter, adopting regulations for Candidate Statements, and requesting the Board of Supervisors of the County of San Luis Obispo to consolidate a General Municipal Election with the Statewide General Election to be held on November 8, 2022, pursuant to Section 10403 of the Elections Code."

- 5.p ADVISORY BODY APPOINTMENT FOR AN UNSCHEDULED VACANCY  
ON THE TOURISM BUSINESS IMPROVEMENT DISTRICT BOARD

Confirm the appointment of Megan Taylor to the Tourism Business Improvement District Board (TBID).

- 5.c CONSIDERATION OF THE 2022-23 HUMAN RELATIONS COMMISSION  
GRANTS-IN-AID FUNDING RECOMMENDATIONS

Council Member Marx indicated her husband is the president of City Farm SLO but she is not going to recusing herself as she feels she can be impartial regarding this issue. City Attorney Dietrick indicated for the record that recusals are for financial interest and this is a uncompensated position for this non-profit and therefore not a qualifying financial interest.

**Motion By** Vice Mayor Christianson  
**Second By** Council Member Shoresman

1. As recommended by the Human Relations Commission, approve the 2022-23 Grants-in-Aid funding allocations in the amount of \$250,000 *with the following changes*:
  - *Decrease funding for Pregnancy and Parenting to \$5000*
  - *Remove funding for French Hospital:*
  - *Reallocate the \$22,000 as follows:*
    - *\$10,000 to City Farm SLO*
    - *\$ 1,137 SLO Children's Museum*
    - *\$ 5,431.50 People Self Help*
    - *\$ 5,431.50 SLO Noor*
2. Authorize the City Manager to execute agreements with each grant recipient.

**6. BUSINESS ITEM**

**6.a HOMELESSNESS RESPONSE UPDATE REGIONAL COLLABORATION**

Community Development Director Michael Codron and Homelessness Response Manager Kelsey Nocket provided an in-depth staff report and responded to Council questions.

County of San Luis Obispo Supervisor Dawn Ortiz-Legg introduced Susan Funk, Chair of Homeless Services Oversight Commission, and Joe Dzvonik, Principal Homeless Analyst, who presented the San Luis Obispo Countywide Strategic Plan to Address Homelessness.

Assistant CAO for the County of San Luis Obispo Rebecca Campbell addressed the Council and thanked them for allowing the County to present the plan to the Council.

Public Comments:

Zoli Harway

Bettina Swigger

Jack Lahey

Biz Steinberg

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

**ACTION:** By consensus, the Council provided direction to staff to draft a letter to the Board of Supervisors incorporating comments received at the hearing along with comments regarding the draft San Luis Obispo Countywide Strategic Plan to Address Homelessness.

## **7. STUDY SESSION**

### **7.a PAVEMENT MANAGEMENT UPDATE**

Public Works Director Matt Horn, Senior Civil Engineer Hai Nguyen, and Deputy Director of Maintenance Operations Greg Cruce provided an in-depth staff report and responded to Council questions. Joe Riley

Public Comments:

None

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

**ACTION:** By consensus, the Council directed to received and file the report on the City's Pavement Management Plan.

## **8. PUBLIC HEARING ITEM**

### **8.a APPROVE AN AMENDMENT TO THE COUNCIL POLICIES AND PROCEDURES MANUAL AND INTRODUCTION OF AN ORDINANCE AMENDING THE MUNICIPAL CODE RELATED TO CITY COUNCIL MEETING START TIME**

City Clerk Teresa Purrington provided a brief staff report and responded to Council questions.

Public Comments:

None

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

**Motion By** Council Member Marx

**Second By** Vice Mayor Christianson

1. Adopt Resolution No. 11341 (2022 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, amending its Council Policies and Procedures Manual," regarding Council meeting start time; and
2. Introduce Ordinance No. 1715 (2022 Series) entitled, "An Ordinance of the City Council of the City of San Luis Obispo, California, amending the San Luis Obispo Municipal Code Chapter 2.04 (Council Meeting) to modify Regular Meeting times."



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

CARRIED (5 to 0)

**9. LIAISON REPORTS AND COMMUNICATIONS**

Council Member Pease updated the Council on the Groundwater Sustainability Commission meeting.

Council Member Shoresman indicated she attended the ribbon cutting ceremony at new SLO REP headquarters and the groundbreaking ceremony at Tiburon Place. She and Council Member Pease attended the SLO Climate Coalition meeting.

Mayor Stewart indicated she also attended the ribbon cutting ceremony at the new SLO REP headquarters, and the groundbreaking ceremony at Tiburon Place. She and Dr. Beya Makekau presented the SLO City taskforce presentation at a federal conference. Mayor Stewart also thanked the NAACP and Paso People for Action for their Juneteenth celebrations.

**10. ADJOURNMENT**

The meeting was adjourned at 9:59 p.m. The next Regular City Council Meeting is scheduled for July 5, 2022 at 6:00 p.m. in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo.

The City Council will also hold a Special Meeting on June 23, 2022 from 3:00 p.m. to 5:00 p.m. to participate in a Business Visit hosted by SLO Chamber of Commerce at iFixit, 1330 Monterey Street, San Luis Obispo.

APPROVED BY COUNCIL: XX/XX/2022