



## Council Minutes

November 1, 2022, 4:30 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. CLOSED SESSION: STARTS AT 4:30 PM

#### 1.a PUBLIC COMMENT ON CLOSED SESSION ITEMS

Public Comments:

None

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

#### 1.b CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Action: City Attorney Christine Dietrick indicated that there was no reportable action taken.

#### 1.c CONFERENCE WITH REAL PROPERTY NEGOTIATORS (APN: 001-207-018)

Action: City Attorney Christine Dietrick indicated that there was no reportable action taken.

#### 1.d ADJOURN CLOSED SESSION

The Closed Session adjourned at 5:20 p.m. to the Regular Meeting of the City Council scheduled for Tuesday, November 1, 2022 at 5:30 pm, in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo.

### 2. CALL TO ORDER

A Regular Meeting of the San Luis Obispo City Council was called to order on November 1, 2022 at 5:30 p.m. in the Council Chambers, 990 Palm Street, San Luis Obispo, by Mayor Stewart.

**3. PLEDGE OF ALLEGIANCE**

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

**4. PRESENTATIONS**

**4.a PROCLAMATION - ARBOR DAY**

Mayor Stewart presented a proclamation declaring November 5, 2022 as "Arbor Day" to Acting City Arborist Anthony Whipple on behalf of the City's Urban Forestry Division.

**4.b PROCLAMATION - FAMILY COURT AWARENESS MONTH**

Mayor Stewart presented a proclamation declaring the month of November as "Family Court Awareness Month" to Tina Swithin.

**4.c PROCLAMATION - NATIONAL ADOPTION MONTH**

Mayor Stewart presented a proclamation declaring the month of November as "National Adoption Month" to Gina Cindrich on behalf of SLO County Department of Social Services.

**4.d INTRODUCTION - ALEJANDRO HERNANDEZ, FACILITIES MAINTENANCE SUPERVISOR**

Public Works Director Matt Horn introduced Alejandro Hernandez, Facilities Maintenance Supervisor.

**4.e CITY MANAGER REPORT**

City Manager Derek Johnson provided a report on upcoming projects.

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

Public Comment:

Jeffery Specht

Kris Roudebush

Hartley Cassetta

*--End of Public Comment--*

**6. CONSENT AGENDA**

**Motion By** Council Member Pease

**Second By** Vice Mayor Christianson

To approve Consent Calendar Items 6a to 6e.

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

CARRIED (5 to 0)

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

Waive reading of all resolutions and ordinances as appropriate.

6.b MINUTES REVIEW - OCTOBER 11, 2022 AND OCTOBER 18, 2022  
COUNCIL MINUTES

Approve the following minutes of the City Council:

- October 11, 2022 - Special Closed Session Meeting
- October 18, 2022 - Regular Meeting

6.c SECOND READING OF ORDINANCE NO. 1722 (2022 SERIES)  
AMENDING TITLE 9, CHAPTER 10 (CANNABIS REGULATIONS) OF  
THE CITY OF SAN LUIS OBISPO MUNICIPAL CODE

Adopt Ordinance No. 1722 (2022 Series) entitled, "An Ordinance of the City Council of the City of San Luis Obispo, California, Amending Chapter 9.10 (Cannabis Regulations) of the Municipal Code for Commercial Cannabis Operator Permits and Personal Cultivation" clarifying the requirements for applying, obtaining, activating, and renewing commercial cannabis operator permits in the City.

6.d CONSIDERATION OF FUNDING PRIORITIES FOR THE 2023-24  
COMMUNITY DEVELOPMENT BLOCK GRANTS AND HUMAN  
SERVICES GRANTS (FORMERLY KNOWN AS GRANTS-IN-AID)

As recommended by the Human Relations Commission (HRC), approve the Community Development Block Grant (CDBG) and Human Services Grants funding priorities for the 2023-24 funding year.

6.e APPROVE FY 2022-25 ANIMAL CARE AND CONTROL SERVICES  
CONTRACT WITH THE COUNTY OF SAN LUIS OBISPO

Approve a three-year contract with the County of San Luis Obispo for the continued provision of Animal Care and Control Services from July 1, 2022 to June 30, 2025 in the amount of \$190,984 for the first year, with annual adjustments thereafter, and authorize the Mayor to execute the contract.

## 7. PUBLIC HEARING AND BUSINESS ITEMS

### 7.a ANNUAL PUBLIC HEARING FOR THE TOURISM BUSINESS IMPROVEMENT DISTRICT (Estimated Time: 20 minutes)

Deputy City Manager Greg Hermann and Tourism Manager Molly Cano 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 Shoresman

1. Conduct a public hearing to receive testimony regarding the City Council's intention to continue the San Luis Obispo Tourism Business Improvement District and determine whether a legally sufficient protest is made; and
2. Adopt Resolution No. 11371 (2022 Series) entitled, "A Resolution of the City Council of the City of San Luis Obispo, California, declaring the basis for and the levy of the assessment for the San Luis Obispo Tourism Business Improvement District and affirming the establishment of the District."

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

CARRIED (5 to 0)

### 7.b CONSIDERATION OF 2022-23 DIVERSITY, EQUITY, AND INCLUSION HIGH IMPACT GRANT FUNDING RECOMMENDATIONS (Est. Time: 45 minutes)

Deputy City Manager Greg Hermann and DEI Manager Beya Makekau provided an in-depth staff report and responded to Council questions.

Public Comments:

Ali Bailey

Chelsea Ruiz

Joel Diringer

Adrienne Garcia-Specht

Rita Casaverde

Courtney Haile

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

*Council Member Marx recused herself from voting on the City Farm SLO application.*

**Motion By** Vice Mayor Christianson

**Second By** Council Member Shoresman

1. As recommended by the Human Relations Commission, approve the funding allocation for City Farm SLO from the 2022-23 Diversity, Equity, and Inclusion (DEI) High Impact Grant program in the amount of \$20,000; and
2. Authorize the City Manager to execute the agreement with the grant recipient.

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

Recused (1): Council Member Marx

CARRIED (4 to 0)

**Motion By** Vice Mayor Christianson

**Second By** Council Member Marx

1. As recommended by the Human Relations Commission, approve the funding allocations for the 2022-23 Diversity, Equity, and Inclusion (DEI) High Impact Grant programs in the amount of \$300,000 except the grant for City Farm SLO(previously approved); and
2. Authorize the City Manager to execute agreements with each grant recipient.

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

CARRIED (5 to 0)

7.c INTRODUCE AN ORDINANCE TO ADOPT BY REFERENCE THE 2022 CALIFORNIA BUILDING AND FIRE CODES WITH LOCAL AMENDMENTS (Estimated Time: 30 minutes)

Fire Marshall/Chief Building Official Rodger Maggio and Deputy Building Official Michael Loew provided an in-depth staff report and responded to Council questions.

Public Comments:

None

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

**Motion By** Council Member Shoresman

**Second By** Council Member Pease

Introduce Ordinance No. 1723 (2022 Series) entitled, “An Ordinance of The City Council of The City of San Luis Obispo, California, amending Title 15 of the Municipal Code to adopt by reference and amend the latest edition of the California Building Standards Code and adopting findings of fact to support the amendments” amending Chapters 15.02 and 15.04 of the Municipal Code adopting, by reference, the 2022 editions of the California Code of Regulations Title 24, the 1997 editions of the Uniform Housing Code and the Uniform Code for the Abatement of Dangerous Buildings, and the 2021 edition of the International Property Maintenance Code, with amendments and the following change:

**305.6.3 Order closing area to entry; Exceptions; Enforcement:**

Whenever it is necessary in the interest of public peace or safety, the Fire Chief, with the consent of the owner of any lands designated as a hazardous fire area, may declare such lands closed to entry by any person. Any public highway traversing such a hazardous fire area, shall, however, be excluded from the order of closure, and the closure to entry does not prohibit or curtail the entry or use of the lands by the owner of the lands or his agent, nor the entry by any federal, state, county or city officer upon the closed area in the performance of their official duties. City law enforcement officers shall enforce the order of closure. The Fire Chief shall promulgate written findings supporting the declaration to close an area and setting forth the projected duration of the closure. The findings shall articulate with specificity the basis for the action, considering factors including, but not limited to: weather conditions (wind, temperatures, relative humidity); fuel loading; topography; and community threat. The continuation of any order issued pursuant to this section lasting longer

than 5-days (120 hours) shall be reviewed with and approved in writing by the City Manager until the order is rescinded.

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

CARRIED (5 to 0)

## **8. LIAISON REPORTS AND COMMUNICATIONS**

**By consensus, the Council agreed to add a Special Meeting on Tuesday, December 13, 2022 starting at 5:30 p.m.**

Council Member Pease participated in a legislative visit to Sacramento on October 24<sup>th</sup>, as a member of SLOCOG, advocating for more rail service between San Luis Obispo and Gilroy. On October 25<sup>th</sup>, she participated in a tour of SMART, the commuter rail in Marin County. The trip was paid for by SLOCOG.

Council Member Shoresman attended the La Loma Adobe Open House and represented the City at Sierra Vista Hospital's celebration for the 10th Anniversary of the Trauma Unit.

Mayor Stewart attended the monthly County Mayor's meeting and the SLO County Archaeological Society event and presented them with a Proclamation celebrating California Archaeology month.

All Council Members and City Manager Derek Johnson attended the Channel Cities League of Cities Annual Dinner in Paso Robles.

## **9. ADJOURNMENT**

The meeting was adjourned at 8:21 p.m. The next Regular City Council Meeting is scheduled for November 15, 2022 at 5:30 p.m. in the Council Chambers at City Hall, 990 Palm Street, San Luis Obispo.

APPROVED BY COUNCIL: XX/XX/2022