

ACTION MINUTES

SPECIAL MEETING OF THE CITY COUNCIL TUESDAY, AUGUST 18, 2020 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

In compliance with the State and County Shelter at Home Orders due to the coronavirus pandemic, and as allowed by the Governor's Executive Order N-29-20, which allows for a deviation of teleconference rules required by the Ralph M. Brown Act, this meeting was held by teleconference.

1. CALL TO ORDER

Mayor Ray Russom called the Special City Council Meeting to order at 6:00 p.m. via teleconference.

2. ROLL CALL

Council Members Lan George, Jimmy Paulding, Kristen Barneich, Mayor Pro Tem Keith Storton, and Mayor Caren Ray Russom were present via teleconference.

Staff members present via teleconference were Acting City Manager Bill Robeson and City Attorney Timothy Carmel. Acting Deputy City Manager Whitney McDonald, City Clerk Kelly Wetmore, and Information Technology Manager Walt Cuzick were present in the Council Chambers.

3. FLAG SALUTE

Mayor Ray Russom led the flag salute.

4. PUBLIC COMMENT

Mayor Ray Russom stated that public comment is limited to items on this agenda and that to allow time for members of the public to call in, public comment would be heard during item 6.a.

5. CLOSED SESSION ANNOUNCEMENTS:

Regular Meeting of August 11, 2020

- a) Public Employee Performance Evaluation pursuant to Government Code Section 54957(b)(1):
Titles: Acting City Manager and Acting Deputy City Manager
- b) Public Employment pursuant to Government Code Section 54957(b)(1):
Title: City Manager
- c) Conference with Labor Negotiators pursuant to Government Code Section 54957.6:
Agency Designated Representative: City Attorney
Unrepresented Employees: Acting City Manager and Acting Deputy City Manager

City Attorney Carmel reported that the City Council met to discuss the performance of the Acting City Manager and the Acting Deputy City Manager, how best to fill the City Manager position, the compensation of the next City Manager, and that there was no formal action to report.

6. BUSINESS ITEMS:

6.a. Consideration of Appointment of Officers and Cancellation of the November 3, 2020 Consolidated General Municipal Election.

Recommended Action: Pursuant to Election Code Section 10229, as there were not more candidates than offices to be elected as of the close of the official nomination period on August 7, 2020, it is recommended that the City Council adopt a Resolution providing for the appointment to the offices of the City that were to be elected on Tuesday, November 3, 2020 and cancel the Consolidated General Municipal Election.

City Clerk Wetmore presented the staff report. City Attorney Carmel advised the Council regarding changes in Fair Political Practices Commission (FPPC) policy regarding conflict of interest regulations that allow incumbents the ability to vote on their appointment to elected office under the provisions of Election Code Section 10229. Acting Deputy City Manager McDonald summarized the information presented by the City Clerk and City Attorney, reviewed the options before the Council with regard to the election, and recommended that based on the fact that there is only one candidate for each office and in light of the estimated cost savings involved, it is recommended the Council move forward with adopting the Resolution to appoint the candidates and cancel the election. Staff responded to questions from Council.

Mayor Ray Russom invited public comment. Speaking from the public was Julie Tacker, who referred to supplemental information published on the City website prior to the meeting from former Council Member Tim Brown regarding an issue that was not on the agenda, stated he had given her authority to speak on his behalf to ask that the Council proceed with the election to give write-in candidates and democracy a chance, and in addition, he asked the Council to agendaize the City's responses to the public records act policy as it relates to production of text messages. With regard to her own public comments, Ms. Tacker requested the Council take no action and proceed with the municipal election, and stated she had personally talked to two people who asked about the write-in process. Additional public comment was received from Linda Busek, in support of cancelling the municipal election, appointing the candidates to office, and spending the money by supporting local businesses with enlarged or enhanced parklets or keeping it in reserve to maintain jobs and city services; Virginia Roof, in support of cancelling the municipal election; Dale Hansen, spoke regarding Senate Bill 323 passed in 2019 relating to Homeowner Association elections; Sarah Sharlot, in support of cancelling the election; Frank Schiro, in support of cancelling the election; Manetta Bennett, in support of cancelling the election; and Kelly, who commented she didn't see any announcements regarding the election deadlines, asked for clarification regarding the Mayor's statement regarding contact with a potential candidate, and asked for clarification regarding election costs. City Clerk Wetmore read into the record written correspondence received from Brittany Field, Maggie Linden, and Greg Cottrell in support of cancelling the election. No further public comments were received. In response to questions posed by the public, City Clerk Wetmore explained that the County bills the City for its costs to conduct the consolidated municipal election; and Mayor Ray Russom clarified that she was not contacted by anyone asking about the write-in candidate process and explained that she did reach out to a potential candidate who had pulled papers and had not yet returned them, and provided context for the communication.

Action: Mayor Pro Tem Storton moved to adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY OF ARROYO GRANDE PROVIDING FOR THE APPOINTMENT TO THE OFFICES OF THE CITY OF ARROYO GRANDE THAT WERE TO BE ELECTED ON TUESDAY, NOVEMBER 3, 2020"***. Council Member Paulding seconded, and the motion passed on the following roll-call vote:

Minutes of City Council Special Meeting
August 18, 2020
Page 3

AYES: Storton, Paulding, Barneich, George, Ray Russom
NOES: None
ABSENT: None

7. ADJOURNMENT:

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 7:01 p.m.

Caren Ray Russom, Mayor

ATTEST:

Kelly Wetmore, City Clerk

(Approved at CC Mtg _____)

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, AUGUST 25, 2020 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

In compliance with the State Shelter at Home Order due to the coronavirus pandemic, and as allowed by the Governor's Executive Order N-29-20, which allows for a deviation of teleconference rules required by the Ralph M. Brown Act, this meeting was held by teleconference.

1. CALL TO ORDER

Mayor Pro Tem Storton called the Regular City Council Meeting to order at 6:00 p.m. via teleconference. He noted that Mayor Ray Russom was travelling and has called in to participate in the meeting; however, he would be serving as the presiding officer during the meeting in the event she experiences any technical connection issues.

2. ROLL CALL

City Council: Council Members Lan George, Jimmy Paulding, Kristen Barneich, Mayor Pro Tem Keith Storton, and Mayor Caren Ray Russom were all present via teleconference.

Staff Present: Acting City Manager Bill Robeson, Acting Deputy City Manager Whitney McDonald, City Attorney Timothy Carmel, Administrative Services Director Mike Stevens, Director of Recreation Services Sheridan Bohlken, City Engineer Robin Dickerson, and Five Cities Fire Authority Chief Steve Lieberman were present via teleconference. Police Chief Mike Martinez, Commander Shawn Cosgrove, Acting Police Commander Mike Smiley, Director of Legislative and Information Services/City Clerk Kelly Wetmore, and Information Technology Manager Walt Cuzick were present in the Council Chambers.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Mayor Pro Tem Storton led the flag salute.

5. AGENDA REVIEW

None.

5.b. Ordinances Read in Title Only.

Mayor Pro Tem Storton moved, Council Member George seconded, and the motion passed unanimously by roll-call vote that all ordinances presented at the meeting shall be read by title only and all further readings be waived.

6. SPECIAL PRESENTATIONS

6.a. Update Regarding Countywide COVID-19 Efforts.

Recommended Action: Receive update, accept public comments, discuss, and provide direction, as necessary.

Acting Deputy City Manager McDonald provided a brief update on local COVID-19 efforts and stated that the parklet program has been implemented and is up and running, k-rails have been installed for safety, that seventeen (17) businesses are participating and eight (8) parklets have been installed. She also noted that in the news recently, some counties have been taken off the State's monitoring list; however, San Luis Obispo County is still on the monitoring list and local epidemiology markers are still above the State's requirements at 105.8 cases per 100,000 residents.

Mayor Ray Russom reported that the number of hospitalizations has come down significantly and cases are trending down. She also reported that the County is allowing anyone access to testing, regardless of whether they have symptoms or not.

Council Member George requested the Council's support in drafting a letter to the Governor to help bring back local control to re-open beauty salons and requested the item be placed on a future agenda for consideration. Mayor Ray Russom supported Council Member George's request and the Council concurred with this item being scheduled for consideration at a future meeting.

Mayor Pro Tem Storton invited public comment. No public comments were received.

6.b. Honorary Proclamation Commending Police Sergeant Michael Smiley for Bravery in the Line of Duty.

Mayor Pro Tem Storton noted that Mayor Ray Russom had previously presented this Honorary Proclamation to Sergeant Smiley at the Police Department and read the Proclamation into the record acknowledging Police Sergeant Michael Smiley for his bravery and leadership in the line of duty during a recent incident of crisis. Brief Council comments ensued acknowledging and commending Sergeant Smiley.

6.c. Police Department Policy and Training Update.

Recommended Action: Receive and file.

Chief Martinez provided introductory comments and stated this was a follow up of the Department's presentation that was given on June 23, 2020. Commander Cosgrove presented updates and revisions to the current use of force policy as a result of changes in State law. Acting Commander Smiley presented an update on annual training standards, the firearms training program, and the professional development program. Staff responded to questions from Council.

Mayor Pro Tem Storton invited public comment. No public comments were received.

No action was taken on this item. The presentation was received and filed.

7. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Pro Tem Storton invited public comment. Speaking from the public via teleconference was Kris Roudebush, regarding the We Are the Care Initiative. No further public comments were received.

8. CONSENT AGENDA

Mayor Pro Tem Storton asked the Council if there were any questions or any items to be pulled from the consent agenda for further discussion.

Council Member Barneich requested that Item 8.l. be pulled, and Mayor Ray Russom requested that Item 8.k. be pulled for separate consideration.

Council Member George referred to a spelling error on page 4 of Item 8.d. (Approval of Minutes) stating that Costa is spelled with a "K." Mayor Pro Tem Storton noted the correction for staff.

Council Member Storton referred to Item 8.c. (Consideration of a Resolution Extending the Wages and Benefits Set Forth in Resolution No. 4870 for Management Employees Through Fiscal Year 2020-21) and thanked the management employees for their willingness to maintain their current salary and benefits for the next one-year period in recognition of the significant financial impacts that the City is dealing with due to COVID-19.

Mayor Pro Tem Storton invited public comment on Items 8.a. through 8.j. No public comments were received.

Action: Council Member George moved to approve Consent Agenda Items 8.a. through 8.j., with the recommended courses of action. Mayor Ray Russom seconded, and the motion passed on the following roll-call vote:

AYES: George, Ray Russom, Barneich, Paulding, Storton
NOES: None
ABSENT: None

8.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period August 1, 2020 through August 15, 2020.

8.b. Consideration of Statement of Investment Deposits.

Action: Received and filed the attached report listing of investment deposits of the City of Arroyo Grande, as of July 31, 2020, as required by Government Code Section 53646(b).

8.c. Consideration of a Resolution Extending the Wages and Benefits Set Forth in Resolution No. 4870 for Management Employees Through Fiscal Year 2020-21.

Action: Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE EXTENDING THE WAGES AND BENEFITS SET FORTH IN RESOLUTION NO. 4870 FOR MANAGEMENT EMPLOYEES THROUGH FISCAL YEAR 2020-21"***.

8.d. Consideration of Approval of Minutes.

Action: Approved the minutes of the Regular City Council Meeting of August 11, 2020, as amended.

8.e. Consideration of Resolution Declaring Surplus Property.

Action: Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING ITS DISPOSAL”***.

8.f. Adoption of a Resolution Declaring a Continued Local Emergency Related to the Coronavirus (COVID-19) Pandemic.

Action: Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING A CONTINUED LOCAL EMERGENCY RELATED TO THE CORONAVIRUS (COVID-19) PANDEMIC”***.

8.g. Monthly Water Supply and Demand Update.

Action: Received and filed the monthly Water Supply and Demand Report.

8.h. Consideration to Approve Revegetation Plan & Specifications, Authorize the Solicitation of Bids, Approve an Amendment to Agreement for Consultant Services with Quincy Engineering, Inc., Approve an Amendment to Contract for Consultant Services with Filippin Engineering, Inc., and Approve an Amendment to the Fiscal Year 2020-21 Capital Improvement Budget for the Habitat Mitigation Phase of the Bridge Street Bridge Rehabilitation Project, PW 2020-08.

Action: 1) Approved the revegetation plan & specifications for the Habitat Mitigation Implementation, Maintenance, Monitoring, and Reporting for the Bridge Street Bridge Rehabilitation Project, PW 2020-08; 2) Authorized the City Clerk to advertise for construction bids; 3) Approved a Ninth Amendment to the Agreement for Consultant Services ("Ninth Amendment") with Quincy Engineering, Inc. for engineering services and design support services during construction for the project; 4) Approved a Second Amendment to the Contract for Consultant Services ("Second Amendment") with Filippin Engineering, Inc. for construction management and inspection services for the project; and 5) Approved an amendment to the Fiscal Year 2020-21 Capital Improvement Program budget to add \$250,000 of HBP funds for the subject project.

8.i. Consideration of Approval of an Agreement with GSI Water Solutions, Inc. for the Preparation of the Northern Cities Management Area Annual Report and Monitoring Program.

Action: Approved and authorized the Mayor to execute an Agreement for Consultant Services with GSI Water Solutions, Inc. for preparation of the 2020 NCMA Annual Report.

8.j. Consideration of Approval of Amendment to the Agreement for Consultant Services with GHD to Extend the Term and Add Changes in Scope for the Local Roads Safety Program (LRSP) and the Highway Safety Improvement Program (HSIP) Grant Applications.

Action: 1) Approved and authorized the Mayor to execute Amendment No. 5 to the Consultant Services Agreement with GHD to extend the term of the agreement through June 30, 2021, and to complete the LRSP and prepare two HSIP Cycle 10 grant applications.

ITEMS PULLED FROM CONSENT AGENDA

- 8.k. Consideration of Approval of Amendment to Extend the Agreement for Consultant Services with Wood Rogers, Inc. for the Brisco Interchange Project.**
Recommended Action: Approve and authorize the Mayor to execute Amendment No. 17 to the Consultant Services Agreement with Wood Rogers, Inc. to extend the contract expiration date to December 30, 2020, to allow the consultant additional time to complete the contracted scope of services.

Mayor Ray Russom stated that she wanted to pull the item for separate consideration to be consistent with her previous vote on the project and that she was not voting on it to move forward.

Council Member Paulding commented since the City was not pursuing a local sales tax measure on the ballot, that it was important to relook at this project in its entirety as it relates to the rest of the City's finances, that he would be interested in seeing if a majority of the Council has arrived at the same conclusion, and suggested if the available funding for this project could be used for other street improvement projects.

Brief Council discussion ensued regarding how circumstances have changed since approval of the project alternative and whether the project should be revisited.

Acting Deputy City Manager McDonald clarified the proposed action is a time extension on an existing agreement with the City's consultant to complete the environmental review and preliminary design process with CalTrans and there is no additional commitment of funding or commitment beyond what has already been made on the project and that this will just provide additional time for the consultant to complete the work that has been contracted. With regard to the project itself, she explained that an update and next steps in the process for the project would come forward at a future meeting for discussion and consideration.

- 8.l. Consideration of a Resolution Amending the Arroyo Grande Tourism Business Improvement District (AGTBID) Fiscal Year 2020-21 Budget.**
Recommended Action: Adopt a Resolution amending the FY 2020-21 AGTBID budget eliminating the City's \$5,000 contribution and increasing the use of AGTBID's available fund balance by \$5,000.

Council Member Barneich requested that the \$5,000 that is being eliminated from the TBID budget be added to the City's FY 2021 Community Services Grant Program. Council Member George supported the request. Mayor Ray Russom also supported the request and asked for clarification from legal counsel on whether this request would need to come back to Council for separate consideration.

City Attorney Carmel confirmed that the request would need to be brought back to the Council for consideration as a separate item. Acting Deputy City Manager McDonald stated staff could bring the additional funding request forward when the Community Services Grant Program comes to Council for consideration.

Council Member Paulding moved to approve Item 8.k. as proposed to approve and authorize the Mayor to execute Amendment No. 17 to the Consultant Services Agreement with Wood Rogers, Inc. to extend the contract expiration date to December 30, 2020, to allow the consultant additional time to complete the contracted scope of services. Council Member Barneich seconded the motion. Mayor Ray Russom stated that the purpose of her voting no on this has been affected by the future agenda item so she will vote in favor to close out the current scope of work and she looks forward to future discussion.

The motion passed on the following roll call vote:

AYES: Paulding, Barneich, George, Storton, Ray Russom
NOES: None
ABSENT: None

Council Member Barneich moved to approve Item 8.l. to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING THE FISCAL YEAR 2020-21 BUDGET FOR THE ARROYO GRANDE TOURISM BUSINESS IMPROVEMENT DISTRICT”**, and to direct staff to include a proposal to allocate an additional \$5,000 to the Community Services Grant Program fund when that item comes forward at a future meeting. Council Member George seconded, and the motion passed on the following roll call vote:

AYES: Barneich, George, Paulding, Storton, Ray Russom
NOES: None
ABSENT: None

9. PUBLIC HEARINGS

9.a. Consideration to Adopt Resolution Amending the Master Fee Schedule for the Recreation Services Department by Establishing a New Fee for Children In Motion’s Enrichment Lab Child Care Program.

Recreation Services Director Bohlken presented the staff report and recommended that the City Council adopt a Resolution amending the Master Fee Schedule for the Recreation Services Department by establishing a new fee in the amount of \$195 dollars per week for the Children In Motion Enrichment Lab child care program. Director Bohlken responded to questions from Council.

Mayor Pro Tem Storton opened the public hearing, and upon hearing no comments, he closed the public hearing.

Action: Council Member George moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING THE MASTER FEE SCHEDULE FOR THE RECREATION SERVICES DEPARTMENT BY ESTABLISHING A NEW FEE IN THE AMOUNT OF \$195 DOLLARS PER WEEK FOR THE CHILDREN IN MOTION ENRICHMENT LAB CHILD CARE PROGRAM.”** Council Member Barneich seconded, and the motion passed on following roll call vote:

AYES: George, Barneich, Paulding, Storton, Ray Russom
NOES: None
ABSENT: None

10. OLD BUSINESS:

None.

11. NEW BUSINESS

None.

12. CITY COUNCIL REPORTS

The City Council provided brief reports from the following committee, commission, board, or other subcommittee meetings that they attended as the City's appointed representative.

(a) MAYOR RAY RUSSOM:

- (1) California Joint Powers Insurance Authority (CJPIA)
- (2) South San Luis Obispo County Sanitation District (SSLOCSD)
- (3) Tourism Business Improvement District Advisory Board

(b) MAYOR PRO TEM STORTON:

- (1) Brisco/Halcyon Interchange Subcommittee
- (2) Five Cities Fire Authority (FCFA)
- (3) Integrated Waste Management Authority Board (IWMA)
- (4) South County Chambers of Commerce Governmental Affairs Committee

(c) COUNCIL MEMBER BARNEICH:

- (1) Homeless Services Oversight Council (HSOC)
- (2) South County Homeless Taskforce
- (3) Zone 3 Water Advisory Board

(d) COUNCIL MEMBER PAULDING:

- (1) Air Pollution Control District (APCD)
- (2) Brisco/Halcyon Interchange Subcommittee
- (3) Council of Governments/Regional Transit Authority (SLOCOG/SLORTA)
- (4) South County Transit (SCT)

(e) COUNCIL MEMBER GEORGE:

- (1) Community Action Partnership San Luis Obispo (CAPSLO)
- (2) County Water Resources Advisory Committee (WRAC)
- (3) Regional Water Initiatives
- (4) Visit SLO CAL Advisory Board

13. COUNCIL COMMUNICATIONS

Council Member Paulding thanked Mayor Pro Tem Storton for running a great meeting.

Council Member Barneich provided an update on Five Cities Fire Authority personnel that have been assigned to wildfires within the State. She also announced changes to the upcoming Empty Bowls fundraiser event, stated that tickets are available, and more information can be found on the 5 Cities Homeless Coalition website.

Council Member George recognized the Five Cities Fire Authority firefighters for their work in fighting the fires in California.

14. CLOSED SESSION

None.

15. ADJOURNMENT

There being no further business to come before the City Council, Mayor Pro Tem Storton adjourned the meeting at 7:40 p.m.

Caren Ray Russom, Mayor

ATTEST:

Kelly Wetmore, City Clerk

(Approved at CC Mtg _____)

THIS PAGE INTENTIONALLY LEFT BLANK