

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, DECEMBER 13, 2016 WOMAN'S CLUB AND COMMUNITY CENTER, 211 VERNON STREET ARROYO GRANDE, CALIFORNIA

1. CALL TO ORDER

Mayor Hill called the Regular City Council Meeting to order at 6:02 p.m.

2. ROLL CALL

City Council: Council Members Jim Guthrie, Tim Brown, Kristen Barneich, Mayor Pro Tem Barbara Harmon and Mayor Jim Hill were present.

Staff Present: Interim City Manager Bob McFall, City Attorney Heather Whitham, Director of Legislative and Information Services/City Clerk Kelly Wetmore, Administrative Services Director Debbie Malicoat, Community Development Director Teresa McClish, Planning Manager Matt Downing, Public Works Director Geoff English, Five Cities Fire Authority Fire Chief Steve Lieberman, and Police Chief Steven Annibali.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Bob Lund, representing Arroyo Grande In Bloom, led the Flag Salute.

5. AGENDA REVIEW

5.a. Closed Session Announcements.

None.

5.b. Ordinances Read in Title Only.

Council Member Barneich moved, Council Member Guthrie seconded, and the motion passed unanimously that all ordinances presented at the meeting shall be read by title only and all further readings be waived.

Mayor Hill requested that Item 13.c. be moved up on the Agenda to allow Council Member Guthrie to provide his final Council reports.

13. CITY COUNCIL REPORTS

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

(c) COUNCIL MEMBER GUTHRIE:

- (1)** San Luis Obispo Council of Governments/Regional Transit Authority (SLOCOG/RTA)
- (2)** South County Transit (SCT)
- (3)** Tourism Committee
- (4)** Brisco/Halcyon Interchange Subcommittee
- (5)** Economic Vitality Corporation

Interim City Manager McFall referred to Item 10.a. and noted for the benefit of the audience that at the request of the applicant, it is being recommended that the Council continue the public hearing item to the January 10, 2017 City Council meeting.

6. SPECIAL PRESENTATIONS

6.a. Mayor's Commendations for the Lions Club and the Woman's Club for their Support of the Woman's Club Kitchen Remodel Project.

Mayor Hill presented Mayor's Commendations to Art Delgadillo, representing the Lions Club, and Mary Carson, representing the Woman's Club, in appreciation of their support of the Woman's Club Kitchen Remodel Project, their efforts in raising more than \$45,000 for the project, and thanking them for their dedication and commitment to providing the community with an improved facility that will benefit users of the City of Arroyo Grande Woman's Club and Community Center for years to come. Mr. Delgadillo and Ms. Carson accepted the Commendations and thanked the Council.

6.b. Introduction and Oath of Office – Police Officers Mitchell Brewer and Daniel Shaw.

Police Chief Annibali introduced new full-time Police Officers Daniel Shaw and Mitchell Brewer, highlighted their educational and professional backgrounds, and facilitated the badge pinning ceremony. City Clerk Wetmore then administered the Oath of Office to Officers Shaw and Brewer.

6.c. Presentation to Outgoing Council Member Jim Guthrie and Opportunity for Comments.

Mayor Hill presented Jim Guthrie with a plaque for his sixteen (16) years of service as a Council Member and highlighted his many accomplishments.

Council Member Guthrie stated it has been his privilege and honor to have served the Community for sixteen years and stated it has been a pleasure working with everyone.

Mayor Hill invited public comments. Speaking from the public was Ed Waage, Mayor of Pismo Beach, who congratulated Mr. Guthrie and wished him well. No further public comments were received.

Council Member Brown acknowledged Council Member Guthrie's wife, Betty Guthrie, and thanked her for her support and mentioned Council Member Guthrie's involvement with the 2001 General Plan Update.

Mayor Pro Tem Harmon commented that she appreciated working with Council Member Guthrie, and acknowledged his role in the creation of the Community Service Grant Program.

Council Member Barneich thanked Council Member Guthrie for his sixteen (16) years of service and the diversity he brought to the Council.

Mayor Hill thanked Council Member Guthrie for his years of service.

Council Member Guthrie thanked the Council for their kind words and thanked his wife, Betty, for her support.

Interim City Manager McFall thanked Council Member Guthrie on behalf of City staff and acknowledged his years of service.

NOVEMBER 8, 2016 ELECTION MATTERS AND CITY COUNCIL REORGANIZATION

6.d. Declaration of Results of the Consolidated General Municipal Election – November 8, 2016.

City Clerk Wetmore presented the staff report and recommended that the Council adopt a Resolution reciting the fact of the General Municipal Election held on November 8, 2016, declaring the results, and such other matters as provided by law.

Action: Council Member Brown moved to adopt a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2016, DECLARING THE RESULTS AND SUCH OTHER MATTERS AS PROVIDED BY LAW”***. Council Member Guthrie seconded, and the motion passed on the following roll-call vote:

AYES: Brown, Guthrie, Barneich, Harmon, Hill
NOES: None
ABSENT: None

6.e. Swearing In of Newly Elected Officers.

City Clerk Wetmore administered the Oath of Office to newly elected Mayor Jim Hill, Council Member Caren Ray, and Council Member Kristen Barneich.

6.f. Remarks by Council Member Barneich, Council Member Ray, and Mayor Hill

Council Member Barneich thanked everyone in attendance and stated that she appreciated the community support during the campaign, over the last two years, and the years she served on the Planning Commission. Council Member Barneich commented that it has been an honor and privilege to represent the citizens of Arroyo Grande and she is excited for the next four years of being able to work with everyone and City staff. Council Member Barneich thanked the many volunteers that helped during the campaign and her family for their support.

Council Member Caren Ray acknowledged and thanked everyone who was in attendance, watching at home, and all who love Arroyo Grande that are involved in serving the community. Council Member Ray stated that no matter which side of the fence we are on or which candidate we supported, we all love this community. She urged everyone to move forward together in a positive direction and stated she looks forward to being a contributor of that.

Mayor Hill congratulated Council Member Barneich and Council Member Ray and thanked all those who supported him, and acknowledged the staff and volunteers of the City. Mayor Hill stated it is a pleasure to serve alongside with all the Council and neighboring communities.

RECESS: Mayor Hill called for a recess at 6:50 p.m. for a brief reception. The Council reconvened at 7:20 p.m.

RECONVENE: The Council reconvened at 7:20 p.m. to consider all remaining items on the City Council Agenda.

ROLL CALL: Council Members Ray, Barneich, Brown, Mayor Pro Tem Harmon, and Mayor Hill were present.

7. CITIZENS' INPUT, COMMENTS, AND SUGGESTIONS

Mayor Hill invited public comment. Speaking from the public were Linda Osty, who spoke of the meaning of Christmas, offered an invocation, and announced the details of an upcoming free Christmas movie at the Fair Oaks Theatre; Eric Daniels, PG&E, commented on the Diablo Canyon closure and commended Interim City Manager McFall for his participation in the settlement negotiations; and Patty Welsh, commented on her meeting with Interim City Manager McFall regarding the closure of the Brisco Road ramps and congratulated the two new Police Officers.

8. INTERIM CITY MANAGER REPORT:

Interim City Manager McFall noted that the PG&E settlement negotiations have concluded and that PG&E counsel was very concerned about the closure and throughout the entire process, they were very diligent in wanting to do the right thing; provided an update on the Bridge Street Bridge meetings and noted the project is moving forward with two alternatives, one being a replacement alternative and the other a rehabilitation alternative; commented on the Oak Park Boulevard Rehabilitation project ribbon cutting ceremony, and provided status updates on capital improvement projects that have been recently completed or are nearing completion.

9. CONSENT AGENDA

Mayor Pro Tem Harmon requested that Items 9.c. and 9.h. be pulled.

Council Member Ray requested Item 9.d. be pulled for a separate vote.

Mayor Hill invited public comment on the Consent Agenda. No public comments were received.

Action: Council Member Barneich moved, and Council Member Ray seconded the motion to approve Consent Agenda Items 9.a. through 9.g., with the exception of Items 9.c., 9.d., and 9.h., with the recommended courses of action. The motion passed on the following roll-call vote:

AYES: Barneich, Ray, Brown, Harmon, Hill

NOES: None

ABSENT: None

9.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period November 16, 2016 through November 30, 2016.

- 9.b. **Consideration of a Resolution Adopting an Amendment to the Full Flex Cafeteria Plan Section 125 to Update the Cafeteria Plan Rates for 2017.**
Action: Adopted a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING AN AMENDMENT TO THE FULL FLEX CAFETERIA PLAN SECTION 125 TO UPDATE THE CAFETERIA PLAN RATES FOR 2017”.**
- 9.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/SALE”.**
- 9.f. **Consideration of Amendment No. 1 Extending the Term of the Consultant Services Agreement with Rick Engineering Company to Update the Pavement Management Plan.**
Action: Authorized the Mayor to execute Amendment No. 1 extending the term of the Consultant Services Agreement with Rick Engineering Company to update the Pavement Management Plan.
- 9.g. **Consideration of Acceptance of the Mid-Block Crosswalk Barrier Removal Project, PW 2015-03.**
Action: 1) Accepted the project improvements as constructed by Victor Concrete, Inc. in accordance with the plans and specifications for the Mid-Block Crosswalk Barrier Removal Project; 2) Directed staff to file a Notice of Completion; and 3) Authorized release of retention, thirty-five (35) days after the Notice of Completion has been recorded, if no liens have been filed.

ITEMS PULLED FROM THE CONSENT AGENDA

- 9.c. **Consideration of Compensation Adjustments for Part-Time Employees.**
Recommended Action: Adopt a Resolution making compensation adjustments for part-time employees in compliance with minimum wage laws and changes in the Police Department Reserve Officer program.

In response to questions by Mayor Pro Tem Harmon, Director Malicoat and Chief Annibali provided clarification regarding changes in the Police Department Reserve Officer program.

Action: Mayor Hill moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING COMPENSATION ADJUSTMENTS FOR PART-TIME EMPLOYEES”.** Mayor Pro Tem Harmon seconded, and the motion passed on the following roll-call vote:

AYES: Hill, Harmon, Ray, Barneich, Brown
NOES: None
ABSENT: None

- 9.d. **Consideration of Approval of Minutes.**
Recommended Action: Approve the minutes of the Special and Regular City Council/Successor Agency Meetings of November 22, 2016, as submitted.

Council Member Ray recused herself from voting on the November 22, 2016 minutes.

Action: Council Member Barneich moved to approve the minutes of the Special and Regular City Council/Successor Agency Meetings of November 22, 2016, as submitted. Mayor Pro Tem Harmon seconded, and the motion passed on the following roll-call vote:

AYES: Barneich, Harmon, Brown, Hill

NOES: None

ABSENT: Ray (recused)

9.h. Consideration of an Award of Contract to S. Chaves Construction, Inc. for Construction of the Heritage Square Park Restroom Project, PW 2016-07.

Recommended Action: 1) Approve the construction plans and specifications for the Heritage Square Park Restroom Project; 2) Award a contract to S. Chaves Constructions, Inc. in the amount of \$133,200; 3) Authorize the Interim City Manager to approve change orders for 20% of the contract amount, \$26,640 for unanticipated costs during the construction phase of the project; 4) Appropriate \$27,250 from Park Development Fund reserve; 5) Find that the project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303; and 6) Direct the City Clerk to file a Notice of Exemption.

Mayor Pro Tem Harmon declared a conflict of interest due to ownership of real property near the project site and recused herself from voting on the item.

Action: Council Member Barneich moved to: 1) Approve the construction plans and specifications for the Heritage Square Park Restroom Project; 2) Award a contract to S. Chaves Constructions, Inc. in the amount of \$133,200; 3) Authorize the Interim City Manager to approve change orders for 20% of the contract amount, \$26,640 for unanticipated costs during the construction phase of the project; 4) Appropriate \$27,250 from Park Development Fund reserve; 5) Find that the project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303; and 6) Direct the City Clerk to file a Notice of Exemption. Council Member Brown seconded, and the motion passed on the following roll-call vote:

AYES: Barneich, Brown, Ray, Hill

NOES: None

ABSENT: Harmon (recused)

10. PUBLIC HEARINGS

10.a. Consideration of the East Cherry Avenue Specific Plan Project (General Plan Amendment 15-001; Development Code Amendment 15-001; Specific Plan 15-001; Vesting Tentative Tract Map 15-001; Conditional Use Permit 15-004) and Environmental Impact Report; Location – East Cherry Avenue and Traffic Way; Applicants – Mangano Homes, Inc. and Arroyo Grande Valley Japanese Welfare Association.

Interim City Manager McFall stated that at the request of the project applicant, it is recommended the public hearing for this item be continued to a date certain of January 10, 2017.

Mayor Hill opened the public hearing. No public comments were received.

Action: Council Member Barneich moved to continue the public hearing to a date certain of January 10, 2017. Council Member Ray seconded, and the motion passed on the following roll-call vote:

AYES: Barneich, Ray, Brown, Harmon, Hill
NOES: None
ABSENT: None

11. OLD BUSINESS

None.

12. NEW BUSINESS

12.a. Consideration of Appointment of Council Members to Regional and Local Boards, Commissions, Committees and Subcommittees

Interim City Manager McFall recommended that the Council make appointments to those regional and local boards, commissions, and committees with Council representation, and authorize the City Clerk to update FPPC Form 806 (Agency Report of Public Official Appointments) for posting on the City website.

The following appointments to regional boards, commissions, and committees were discussed and assigned, as follows:

<u>AGENCY</u>	<u>PRIMARY</u>	<u>ALTERNATE</u>
Air Pollution Control District Board (APCD) Staff Representative: City Manager	Barbara Harmon	Tim Brown
Audit Committee Staff Representative: Administrative Services Director	Caren Ray	Tim Brown
Brisco/Halcyon Interchange Subcommittee Staff Representative: Community Development Director	Jim Hill Tim Brown	N/A
California Joint Powers Insurance Authority (CJPIA) Staff Representative: City Manager/ Human Resources Manager	Caren Ray	N/A
City Selection Committee (Mayors) Staff Representative: Not Applicable	Jim Hill	N/A

<u>AGENCY</u>	<u>PRIMARY</u>	<u>ALTERNATE</u>
Council of Governments/ Regional Transit Authority (SLOCOG/RTA) Staff Representative: Community Development Director	Tim Brown	Jim Hill
County Water Resources Advisory Committee (WRAC) Staff Representative: Community Development Director	Barbara Harmon	Kristen Barneich
Economic Vitality Corporation (EVC) Staff Representative: City Manager/ Community Development Director	Caren Ray	Kristen Barneich
Five Cities Fire Authority Staff Representative: City Manager	Barbara Harmon	Tim Brown
Homeless Services Coordinating Council Staff Representative: City Manager	Kristen Barneich	Tim Brown
Integrated Waste Management Authority Board (IWMA) Staff Representative: Community Development Director	Tim Brown	Barbara Harmon
Oversight Board Staff Representative: City Manager/ Administrative Services Director	Jim Hill	Tim Brown
South County Transit Staff Representative: City Manager	Tim Brown	Kristen Barneich
South San Luis Obispo County Sanitation District (SSLOCSD) Staff Representative: Public Works Director	Jim Hill	Tim Brown
Tourism Marketing Committee Staff Representative: Community Development Director	Caren Ray	Kristen Barneich
Visit SLO County Staff Representative: City Manager	Barbara Harmon	N/A

<u>AGENCY</u>	<u>PRIMARY</u>	<u>ALTERNATE</u>
Zone 3 Water Advisory Board Staff Representative: Community Development Director	Kristen Barneich	Jim Hill

Mayor Hill invited public comment. No public comments were received.

Action: Mayor Hill moved to make appointments to those regional and local boards, commissions, and committees with Council representation, as discussed and assigned. Council Member Ray seconded, and the motion passed on the following roll call vote:

AYES: Hill, Ray, Barneich, Brown, Harmon
NOES: None
ABSENT: None

Action: Council Member Brown moved to authorize the City Clerk to update FPPC Form 806 (Agency Report of Public Official Appointments) for posting on the City website. Mayor Hill seconded, and the motion passed unanimously by voice vote.

12.b. Consideration of Selection of Council Member Brown as Mayor Pro Tem.

Interim City Manager McFall presented the staff report and recommended that the Council appoint Council Member Brown as the Mayor Pro Tem for the next one-year period, pursuant to Council policy.

Mayor Hill invited public comment. No public comments were received.

Action: Mayor Hill moved to appoint Council Member Brown as Mayor Pro Tem for the next one-year period. Council Member Ray seconded, and the motion passed on the following roll-call vote:

AYES: Hill, Ray, Barneich, Brown, Harmon
NOES: None
ABSENT: None

13. CITY COUNCIL REPORTS

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

- (a) **MAYOR HILL:**
- (1) South San Luis Obispo County Sanitation District (SSLOCSD).
 - (2) Brisco/Halcyon Interchange Subcommittee
 - (3) Oversight Board to the Successor Agency to the Dissolved Arroyo Grande Redevelopment Agency
 - (4) California Joint Powers Insurance Authority (CJPIA)

- (b) MAYOR PRO TEM HARMON:**
 - (1) County Water Resources Advisory Committee (WRAC)
 - (2) Air Pollution Control District (APCD)
 - (3) Five Cities Fire Authority (FCFA)

- (d) COUNCIL MEMBER BROWN:**
 - (1) Integrated Waste Management Authority Board (IWMA)
 - (2) Economic Vitality Corporation (EVC)
 - (3) South San Luis Obispo County Sanitation District (SSLOCSD).

- (e) COUNCIL MEMBER BARNEICH:**
 - (1) Zone 3 Water Advisory Board
 - (2) Homeless Services Oversight Council (HSOC)

COUNCIL COMMUNICATIONS

Council Member Barneich stated that the current warming center location on E. Grand Avenue would not be available next year and another location is needed; commented on the MASH event; that a South County Homeless Task Force is needed; and requested an item be placed on a future agenda to discuss the issue further. Mayor Hill concurred.

Council Member Harmon announced an upcoming dinner to be held at Finn's Restaurant to raise funds for the Five Cities Homeless Coalition.

Council Member Ray noted that the Children's Resource Network is having their toy giveaway this weekend from 1:00 to 3:00 p.m.

Mayor Hill reported that he attended the Santa Cop event and stated it was very well attended.

Mayor Pro Tem Brown suggested that a Mayor's Commendation be presented to Barbara Owens and Bruce Van Vort for their work with the Homeless Warming Shelter.

14. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Hill invited public comment. No public comments were received.

15. CLOSED SESSION

At 8:45 p.m., City Attorney Whitham announced the City Council would adjourn to closed session to consider the following item:

- a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION** pursuant to Government Code Section 54957:
Title: Interim City Manager

Adjourned to closed session at the City Hall Conference Room, located at 300 E. Branch Street, Arroyo Grande.

16. RECONVENE TO OPEN SESSION

The Council reconvened to open session at 10:35 p.m. City Attorney Whitham announced that there was no reportable action taken.

17. ADJOURNMENT

Mayor Hill adjourned the meeting at 10:36 p.m.

Jim Hill, Mayor

ATTEST:

Kelly Wetmore, City Clerk

(Approved at CC Mtg _____)

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