

**ACTION MINUTES**

**SPECIAL MEETING OF THE CITY COUNCIL  
TUESDAY, MAY 23, 2017  
ARROYO GRANDE CITY HALL CONFERENCE ROOM  
ARROYO GRANDE, CALIFORNIA**

**1. CALL TO ORDER:**

Mayor Hill called the Special City Council Meeting to order at 4:33 p.m.

**2. ROLL CALL:**

Council Members Caren Ray, Kristen Barneich, Barbara Harmon, Mayor Pro Tem Tim Brown and Mayor Jim Hill were present.

Staff members present were City Manager Jim Bergman, City Attorney Heather Whitham, Director of Legislative and Information Services/City Clerk Kelly Wetmore, and Director of Administrative Services Debbie Malicoat.

**3. FLAG SALUTE**

Mayor Hill led the flag salute.

**4. PUBLIC COMMENT**

None.

**5. CITY COUNCIL CLOSED SESSION**

- a) **CONFERENCE WITH LEGAL COUNSEL** – existing litigation pursuant to Government Code Section 54956.9(d)(1):  
Name of Case: Appeal of CalPERS determination dated January 26, 2017, (CalPERS ID: 4633639204)

Adjourned to closed session.

**6. RECONVENE TO OPEN SESSION:**

The Council reconvened to open session at 6:06 p.m. in conjunction with the Regular City Council meeting. Under Item 5 of the Regular Meeting Agenda, City Attorney Whitham announced that the Council met in closed session and that there was no reportable action.

**7. ADJOURNMENT:**

The Special Meeting was adjourned at 6:06 p.m.

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**Jim Hill, Mayor**

**ATTEST:**

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**Kelly Wetmore, City Clerk**

(Approved at CC Mtg \_\_\_\_\_)

## ACTION MINUTES

### REGULAR MEETING OF THE CITY COUNCIL TUESDAY, MAY 23, 2017 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

#### **1. CALL TO ORDER**

Mayor Hill called the Regular City Council Meeting to order at 6:07 p.m.

#### **2. ROLL CALL**

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

Staff Present: City Manager Jim Bergman, City Attorney Heather Whitham, Director of Legislative and Information Services/City Clerk Kelly Wetmore, Director of Administrative Services Debbie Malicoat, Public Works Director Chris Magdosku, Acting Police Chief Beau Pryor, and Five Cities Fire Authority Fire Chief Steve Lieberman

**3. MOMENT OF REFLECTION** in memory of the victims of the attack in Manchester, England.

#### **4. FLAG SALUTE**

Anne McCracken, representing the Arroyo Grande Valley Kiwanis Club, led the Flag Salute.

#### **5. AGENDA REVIEW**

##### **5.a. Closed Session Announcements:**

##### Regular City Council Meeting of May 9, 2017

- a) Conference with real property negotiators pursuant to Government Code Section 54956.8:  
Property: 250 Wesley Street, Arroyo Grande (APNs 007-011-021 and 007-011-049)  
Agency Negotiator: Teresa McClish, Community Development Director  
Negotiating Party: Eric Knowles, Kidder Matthews  
Under Negotiation: Price and Terms of Payment

##### Special City Council Meeting of May 23, 2017 at 4:30 pm

- a) Conference with legal counsel – existing litigation pursuant to Government Code Section 54956.9(d)(1):  
Name of Case: Appeal of CalPERS determination dated January 26, 2017, (CalPERS ID: 4633639204)

City Attorney Whitham announced that the City Council met in closed session at a Regular Meeting on May 9, 2017 and at a Special Meeting on May 23, 2017 to discuss the above items, and no reportable action was taken at either meeting.

**5.b. Ordinances Read in Title Only.**

Council Member Barneich moved, Mayor Pro Tem Brown 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.

**6. SPECIAL PRESENTATIONS**

**6.a. Mayor's Commendation Presented to Bruce Van Vort and Fin's Restaurant - Fundraising Efforts Benefiting the 5Cities Homeless Coalition**

Mayor Hill presented a Mayor's Commendation to Bruce Van Vort and Fin's Restaurant in recognition and sincere appreciation of their efforts and success in raising money for the 5Cities Homeless Coalition to help provide housing and meet immediate financial needs of individuals and families who are homeless in the South County.

**6.b. Mayor's Commendations Presented to Barbara Owen and Penny Platt for their Work with the 5Cities Homeless Coalition and the Warming Center**

Mayor Hill presented a Mayor's Commendation to Barbara Owen and Penny Platt in recognition and sincere appreciation of their work with the 5Cities Homeless Coalition and the many hours of service that they devoted to the Warming Center this past winter to provide a safe place for those seeking shelter from cold or wet weather.

**6.c. Mayor's Commendation Recognizing 5Cities Homeless Coalition and Warming Center Volunteers**

Mayor Hill presented a Mayor's Commendation in recognition and appreciation of the 5Cities Homeless Coalition and Warming Center Volunteers for the many hours of volunteer service this past winter to provide a safe place for those seeking shelter from cold or wet weather. Michael Byrd accepted the Commendation on behalf of the 5Cities Homeless Coalition and its volunteers.

**6.d. Mayor's Commendation Presented to Richard DeBlauw and Duane DeBlauw for Providing a Temporary Warming Center Location for the Homeless this Past Winter.**

Mayor Hill presented a Mayor's Commendation to Richard and Duane DeBlauw in appreciation of their continued support by providing a temporary warming center location for the homeless this past winter.

**7. CITIZENS' INPUT, COMMENTS, AND SUGGESTIONS**

Mayor Hill invited public comment. Speaking from the public were Linda Osty, who stated that her thoughts are with the recent victims in Manchester, and offered an invocation; Robert Olson, Arroyo Grande Police Department (AGPD) volunteer, spoke of the effort involved to raise \$30,000 for a new K9 for AGPD and that anyone who would like to donate can do so by visiting [www.gofundme.com](http://www.gofundme.com) or by visiting the booth at the Strawberry Festival; AGPD Officer Corral commented that the K9 is being trained as Arroyo Grande's newest K9 "Officer" and will also be trained to detect explosives; Maureen Sharon, spoke in support of the new playground

equipment at Heritage Square Park and thanked Riley Betita and all who were involved in the project.

Mayor Hill noted that the Council attended the ribbon cutting ceremony for the new playground equipment and that new park benches will also be installed in the park soon.

**8. CITY MANAGER REPORT:**

None.

**9. CONSENT AGENDA**

Council Member Harmon requested that Item 9.e. be pulled.

Mayor Hill requested that Item 9.i. be pulled.

Council Member Ray requested that Item 9.c. be pulled.

Mayor Hill invited public comment on the remaining consent agenda items. No public comments were received.

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

**AYES:** Barneich, Harmon, Ray, Brown, Hill

**NOES:** None

**ABSENT:** None

**9.a. Consideration of Cash Disbursement Ratification.**

**Action:** Ratified the listing of cash disbursements for the period May 1, 2017 through May 15, 2017.

**9.b. Consideration of Statement of Investment Deposits.**

**Action:** Received and filed the report listing of investment deposits of the City of Arroyo Grande, as of April 30, 2017, as required by Government Code Section 53646(b).

**9.d. Consideration of Approval of Minutes.**

**Action:** Approved the minutes of the Regular City Council Meeting of May 9, 2017, as submitted.

**9.f. Consideration of Monthly Water Supply and Demand Update.**

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

**9.g. Consideration of Acceptance of the Strother Park Rain Garden Project, PW 2017-02.**

**Action:** 1) Accepted the project improvements as constructed by Christopher Scott Construction in accordance with the plans and specifications for the Strother Park Rain Garden Project; 2) Directed staff to file a Notice of Completion; and 3) Directed staff to submit a reimbursement request to the Coastal San Luis Resource Conservation District in accordance with the StormRewards Program Implementation Agreement.

**9.h. Consideration of an Award of Contract to RK&G Construction, Inc. for Construction of the Public Works Building Renovation Project, PW 2015-07.**

**Action:** 1) Approved the construction plans and specifications for the Public Works Building Renovation Project, PW 2015-17; 2) Found that the project is categorically

exempt from CEQA pursuant to CEQA Guidelines Section 15301(a); 3) Directed the City Clerk to file a Notice of Exemption; 4) Awarded a contract for the Public Works Building Renovation Project to RK&G Construction, Inc. in the amount of \$140,565; 5) Authorized the City Manager to approve change orders for 20% of the contract amount, \$28,113, for unanticipated costs during the construction phase of the project; and 6) Reallocated \$2,710 of General Fund cost savings from the Corporation Yard Stormwater Improvements project, and appropriate \$2,629 from the Water Fund, \$2,629 from the Sewer Fund, and \$512 from the Local Sales Tax Fund for the project.

**ITEMS PULLED FROM THE CONSENT AGENDA**

**9.c. Consideration of Annual Report and Adoption of Resolution of Intention for Levy of Annual Assessment for Arroyo Grande Tourism Business Improvement District.**

**Recommended Action:** 1) Receive and approve the annual report of the Arroyo Grande Tourism Business Improvement District (AGTBID) Advisory Board; 2) Adopt a Resolution of Intention to levy and collect assessments within the AGTBID area for Fiscal Year 2017-18 at the same rate as in Fiscal Year 2016-17; and 3) Set the date for the public hearing for June 27, 2017.

Council Member Ray announced that there is a vacancy on the Board and introduced Judith Bean from the Arroyo Grande/Grover Beach Chamber of Commerce. Ms. Bean spoke regarding the events and success that the AGTBID has had in promoting the City of Arroyo Grande this past year and announced that she has someone who is interested in filling the vacancy on the Board.

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

**Action:** Council Member Ray moved to: 1) Receive and approve the annual report of the Arroyo Grande Tourism Business Improvement District (AGTBID) Advisory Board; 2) Adopt a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING ITS INTENTION TO CONTINUE THE ARROYO GRANDE TOURISM BUSINESS IMPROVEMENT DISTRICT, TO CONTINUE THE BASIS FOR AND TO LEVY THE ASSESSMENT FOR THE DISTRICT, AND TO SET A DATE FOR THE PUBLIC HEARING ON THE DISTRICT AND THE ASSESSMENT FOR THE 2017-18 FISCAL YEAR”***; and 3) Set the date for the public hearing for June 27, 2017. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

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

**9.e. Consideration of Council Appointments to the Architectural Review Committee and Traffic Commission.**

**Recommended Action:** 1) Approve the recommendation of Mayor Hill to appoint Coleen Kubel to the Architectural Review Committee; and 2) Approve the recommendation of Mayor Hill to appoint Rodney Pappas to the Traffic Commission, contingent upon the appointment of Coleen Kubel to the Architectural Review Committee.

In response to a question by Council Member Harmon, Mayor Hill provided information regarding Ms. Kubel's experience as a building contractor.

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

**Action:** Mayor Hill moved to appoint Coleen Kubel to the Architectural Review Committee and to appoint Rodney Pappas to the Traffic Commission, contingent upon the appointment of Coleen Kubel to the Architectural Review Committee. Council Member Harmon seconded, and the motion passed on the following roll-call vote:

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

**9.i. Consideration of Adoption of Ordinance - Development Code Amendment 17-001 Amending Ordinance No. 355 C.S. "Royal Oaks Estates" to Increase the Maximum Allowed Density within Planned Development 1.3.**

**Recommended Action:** Adopt an Ordinance amending Ordinance No. 355 C.S. "Royal Oaks Estates" to increase the maximum allowed density within Planned Development 1.3; Development Code Amendment 17-001; Location – Rodeo Drive and Grace Lane; Applicant – Kirby Gordon; Representative – Jeffrey Emrick.

Mayor Hill announced a potential conflict of interest relating to ownership of real property near the project, stepped down from the dais, and left the room. Mayor Pro Tem Brown took over as Presiding Officer.

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

**Action:** Mayor Pro Tem Brown moved to adopt the Ordinance as proposed. City Attorney Whitham read the full title of the Ordinance as follows: **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING ORDINANCE NO. 355 C.S. "ROYAL OAKS ESTATES" TO INCREASE THE MAXIMUM ALLOWED DENSITY WITHIN PLANNED DEVELOPMENT 1.3; DEVELOPMENT CODE AMENDMENT 17-001; LOCATION-RODEO DRIVE AND GRACE LANE; APPLICANT- KIRBY GORDON; REPRESENTATIVE – JEFFREY EMRICK"**. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

**AYES:** Brown, Barneich, Harmon, Ray  
**NOES:** None  
**ABSENT:** Hill (recused)

Mayor Hill returned to the meeting and took his place at the dais.

**10. PUBLIC HEARINGS**

None.

**11. OLD BUSINESS**

None.

**12. NEW BUSINESS**

**12.a. Presentation and Discussion of Five Cities Fire Authority Draft Five-Year Strategic Plan.**

Council Member Harmon provided an introductory summary and Five Cities Fire Authority (FCFA) Fire Chief Lieberman provided a presentation of the Draft 5 Year Strategic Plan and recommended the Council receive, discuss, and file the Draft Five-Year Strategic Plan. Staff responded to questions from Council

Mayor Hill invited public comment. Speaking from the public was Robert Olson, who commented that there is a major disconnect between what the Five Authority does and what the community thinks the Fire Authority does, and commented that a major effort to educate the public is needed if they are going to be asked to contribute money in the future.

Council comments regarding the Strategic Plan ensued which included, but was not limited to, an emphasis on the need to educate the public about the FCFA's services and funding needs; that an increase in staffing at the Oceano station is critical; that a fleet replacement fund is needed; a suggestion to phase transition of Reserve firefighters to Full-Time Firefighters on an incremental basis or a succession plan; concern that there is not a proportional share of costs among the agencies in the JPA; a suggestion that every station should be under ownership and authority of the FCFA; a suggestion that financial assistance from the City be transferred to the FCFA; a suggestion to consider changing the name of the Five Cities Fire Authority to better identify the services they provide; support for moving from basic to advanced life support; that the FCFA needs to integrate with member agencies during the budget process; acknowledgement and concern about increasing PERS retirement costs; recognition that Oceano is not a city and that their funding sources are very limited; and acknowledgement that there is an increasing need for training.

No formal action was taken. The Strategic Plan was received and filed.

**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

**(b) MAYOR PRO TEM BROWN:**

- (1)** San Luis Obispo Council of Governments/Regional Transit Authority (SLOCOG/RTA)
- (2)** Integrated Waste Management Authority Board (IWMA)
- (3)** South County Transit (SCT)
- (4)** Brisco/Halcyon Interchange Subcommittee
- (5)** Other: Zone 3 Water Advisory Board (Alternate)

- (c) **COUNCIL MEMBER BARNEICH:**
  - (1) Zone 3 Water Advisory Board
  - (2) Homeless Services Oversight Council (HSOC)
  - (3) Other
  
- (d) **COUNCIL MEMBER HARMON:**
  - (1) County Water Resources Advisory Committee (WRAC)
  - (2) Air Pollution Control District (APCD)
  - (3) Five Cities Fire Authority (FCFA)
  - (4) Other
  
- (e) **COUNCIL MEMBER RAY:**
  - (1) California Joint Powers Insurance Authority (CJPIA)
  - (2) Economic Vitality Corporation (EVC)
  - (3) Tourism Committee
  - (4) Other

**14. COUNCIL COMMUNICATIONS**

In response to information provided during Council Reports, Council Member Ray asked whether the bus stop located at Courtland and Grand Avenue is being closed. Public Works Director Magdosku provided an update and noted that the bus stop is being relocated across the street closer to Oak Park Boulevard; Council Member Barneich referred to a recent memo from County of San Luis Obispo Department of Public Works regarding the Board of Supervisor's meeting to consider rescinding the County-wide Emergency Drought Proclamation and the Zone 3 Low Reservoir Response Plan, and asked staff to distribute a copy to the Council; and Council Member Harmon announced a Memorial Day observance ceremony to be held Monday, May 29, 2017 at the Arroyo Grande Cemetery.

Council Member Ray asked if it was possible to include a link on the City's website to help the Arroyo Grande Valley Kiwanis Club with their fundraising efforts for the Elm Street Park playground equipment. City Clerk Wetmore referred to the City's Administrative Policy for providing external links on the City's website and responded she would review the policy to determine if it meets the criteria.

**15. COMMUNITY COMMENTS AND SUGGESTIONS**

None.

**16. CLOSED SESSION**

None.

**ADJOURNMENT**

Mayor Hill adjourned the meeting at 9:02 p.m.



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**Jim Hill, Mayor**

**ATTEST:**

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**Kelly Wetmore, City Clerk**

(Approved at CC Mtg \_\_\_\_\_)

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