

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, JULY 25, 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 6:00 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, and Planning Manager Matt Downing.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Von Odermatt, representing the Central Coast Exchange Club, led the Flag Salute.

5. AGENDA REVIEW

5.a. Closed Session Announcements:

Regular City Council Meeting of June 27, 2017:

- a) Conference with Labor Negotiator Pursuant To Government Code Section 54957.6:
Agency Designated Representative: Karen Sisko, Human Resources Manager
Employee Organization: Arroyo Grande Police Officers' Association (AGPOA)
- b) Public Employee Performance Evaluation pursuant to Government Code Section 54957:
Title: City Attorney

City Attorney Whitham announced that the City Council met in closed session at a Regular Meeting on June 27, 2017 to discuss the above items, and for Item a) the Council provided direction to its negotiator, and for Item b) there was no reportable action.

5.b. Ordinances Read in Title Only.

Mayor Hill moved, Council Member 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

None.

7. CITIZENS' INPUT, COMMENTS, AND SUGGESTIONS

Mayor Hill invited public comment. Speaking from the public was Brad Snook, representing Surfrider Foundation, San Luis Obispo Chapter, regarding its Ocean Friendly Gardens Program.

8. CITY MANAGER REPORT:

City Manager Bergman reported that he attended the Annual California Joint Powers Insurance Authority (CJPIA) Board of Directors meeting. He also announced the Annual Car Cruise event to be held on E. Grand Avenue on Friday, July 28th and the Annual Car Sho on E. Branch Street on Saturday, July 29th.

9. CONSENT AGENDA

Mayor Hill announced that the City Attorney would make a statement regarding Item 9.d. (Consideration of Resolutions Establishing Salary and Benefits for Management and Part-Time Employees for FY 2017-18).

City Attorney Whitham stated that Item 9.d. contains a recommendation for final action affecting salaries and benefits paid to agency executives, and Government Code Section 54953 requires the City to orally report a summary of the recommendation prior to the Council's action. She stated that Item 9.d. includes a recommendation to increase the City Manager, Department Directors and other certain management employees' salaries by 2% beginning July 14, 2017; it includes an increase in the contribution toward health insurance and reduces the waiting period for short-term disability benefits; and it includes a 5% equity adjustment for the Accounting Manager, Planning Manager and Building Official positions effective July 14, 2017. She noted that full details are provided in the staff report and resolution.

Mayor Hill asked the Council if there were any questions regarding the remaining consent agenda items.

Staff responded to questions from Council Member Harmon regarding Item 9.g. (Annual Report for the Northern Cities Management Area).

Staff responded to questions from Council Member Barneich regarding Item 9.i. (Monthly Water Supply and Demand Report).

Mayor Hill invited public comment on the consent agenda items. Speaking from the public was Anne McCracken, in support of Item 9.k. (Temporary Use Permit for the Annual Harvest Festival) and she thanked the Council for its consideration of approval.

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

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

9.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period June 16, 2017 through July 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 June 30, 2017, as required by Government Code Section 53646(b).

9.c. Consideration of a Resolution Approving a Memorandum of Understanding with the Arroyo Grande Police Officers' Association for Fiscal Years 2017-18 through 2019-20.

Action: Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE ARROYO GRANDE POLICE OFFICERS' ASSOCIATION FOR FISCAL YEARS 2017-18 THROUGH 2019-20"**.

9.d. Consideration of Resolutions Establishing Salary and Benefits for Management and Part-Time Employees for FY 2017-18.

Action: 1) Adopted a Resolution entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ESTABLISHING WAGES AND BENEFITS FOR MANAGEMENT EMPLOYEES FOR FY 2017-18"**; and 2) Adopted a Resolution entitled **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING COMPENSATION ADJUSTMENTS FOR PART-TIME EMPLOYEES"**.

9.e. Consideration of Approval of Minutes.

Action: Approved the minutes of the Regular City Council Meeting of June 27, 2017, as submitted.

9.f. Consideration of an Additional Appropriation for the Municipal Water Well No. 11 Treatment Plant Construction, Well Equipment and Pipeline Installation Project, PW 2010-07 and an Amendment to the Agreement for Consultant Services.

Action: 1) Authorized funding to provide for phase 3 electrical service to the Municipal Water Well No. 11 treatment facilities; 2) Approved a Sixth Amendment to the Agreement for Consultant Services ("Sixth Amendment") with Garing, Taylor & Associates construction support services for the subject project; and 3) Appropriated \$30,268 from the Water Availability Fund balance for the project.

9.g. Annual Report for the 2016 Northern Cities Management Area.

Action: Received and filed the 2016 Northern Cities Management Area (NCMA) annual report.

9.h. Consideration to Approve Purchase of Water Meters.

Action: Approved a purchase order for \$41,000 allowing for the purchase of water meters.

9.i. Monthly Water Supply and Demand Update.

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

9.j. Consideration of a Fifth Amendment to Agreement for Consultant Services with Quincy Engineering, Inc. for the Bridge Street Bridge Project.

Action: 1) Approved a Fifth Amendment to the Agreement for Consultant Services with Quincy Engineering, Inc. to include additional services; and 2) Authorized the Mayor to execute the Fifth Amendment.

9.k. Consideration of Temporary Use Permit 17-009; Authorizing Closure of City Streets and Use of City Property for the 80th Annual Arroyo Grande Valley Harvest Festival, Friday and Saturday, September 22-23, 2017; Applicant – Anne McCracken.

Action: 1) Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT 17-009, AUTHORIZING CLOSURE OF CITY STREETS AND USE OF CITY PROPERTY FOR THE 80th ANNUAL ARROYO GRANDE VALLEY HARVEST FESTIVAL, FRIDAY AND SATURDAY, SEPTEMBER 22-23, 2017"**.

- 9.i. Consideration of Approval of an Easement Agreement for the Relocation of an Existing Public Utility Easement and Acceptance of an Irrevocable and Perpetual Offer of Dedication for a Public Utility, Street Tree and Fire Hydrant Easement for Lot Merger 15-004.**

Action: Adopted a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING AN EASEMENT AGREEMENT FOR RELOCATION OF EXISTING PUBLIC UTILITY EASEMENT AND ACCEPTING AN IRREVOCABLE AND PERPETUAL OFFER OF DEDICATION FOR PUBLIC UTILITY EASEMENT, STREET TREE EASEMENT AND FIRE HYDRANT EASEMENT FOR LOT MERGER 15-004”.**

- 9.m. Consideration of an Agreement with Ventura Transit Systems to Operate the Five Cities Senior Shuttle Service.**

Action: Approved and authorized the Mayor to execute a multi-agency agreement with Ventura Transit Systems to operate the Five Cities Senior Shuttle service.

10. PUBLIC HEARINGS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

- 12.a. Consideration of Approval of an Agreement for Consultant Services for the East Grand Avenue Master Plan (Staff Project 14-003).**

Council Member Ray announced that she would be recusing herself from this item. She explained that she had previously received an opinion from the Fair Political Practices Commission (FPPC) based on her relationship with her fiancé, with regard to his employment with RRM Design Group (RRM). She stated that based on that opinion, while she is not required to step down on this item, because the item is connected to RRM’s Architecture Department in which he works, she would recuse herself from the discussion and consideration of the item. Council Member Ray stepped down from the dais and left the room.

Community Development Director McClish provided introductory comments. Planning Manager Downing presented the staff report and recommended the Council: 1) Approve and authorize the Mayor to execute an Agreement for Consultant Services with RRM Design Group in the amount of \$217,871; 2) Authorize the City Manager to approve contingencies not to exceed 10%, or \$21,787; and 3) Appropriate \$70,000 from the Affordable Housing Fund and \$38,000 from the Local Sales Tax Fund. Staff responded to questions from Council.

Josh Cross, representing RRM Design Group, responded to questions from Council regarding ways to keep the Master Plan fresh to attract the greatest variety of development on E. Grand Avenue.

Mayor Hill invited public comment. Speaking from the public was Patty Welsh, inquiring who she should contact about parking concerns; referred to previous plans for E. Grand Avenue and suggested that staff reach out to the Spencer’s for feedback on prior plans and efforts; and expressed concern that there was only one proposal received for the project.

Council comments ensued in support of the project, acknowledgement that a comprehensive parking study is included in the project which has been identified as a goal by the Planning Commission and City Council and is a high priority; that a streetscape plan is included in the project; that an economic analysis plan is included in the project in the form of a real estate market study; acknowledgement that RRM Design Group is a firm that understands the City's dynamics; that the Master Plan will provide flexibility, clarity of rules, and a degree of certainty for developers; that the Master Plan will result in creating a cohesive corridor from E. Grand Avenue to the Village; that economic development is an identified City Council goal and revitalization of E. Grand Avenue is a priority; a suggestion that staff take a look back in the future to see how the Master Plan works out and how close we get to the results to determine if it was a worthwhile endeavor; that staff sufficiently addressed issues relating to the Request for Proposal (RFP) process; that affordable housing is needed in the City and a portion of funding from the Affordable Housing Fund for the project is appropriate.

Action: Council Member Barneich moved to approve and authorize the Mayor to execute an Agreement for Consultant Services with RRM Design Group in the amount of \$217,871; authorize the City Manager to approve contingencies not to exceed 10%, or \$21,787; and appropriate \$70,000 from the Affordable Housing Fund and \$38,000 from the Local Sales Tax Fund. Mayor Hill seconded, and the motion passed on the following roll-call vote:

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

Council Member Ray returned to the meeting and took her place at the dais.

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: Attended the SSLOSD meeting (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: Attended the Visit SLO CAL Advisory Committee meeting.

- (e) **COUNCIL MEMBER RAY:**
 - (1) California Joint Powers Insurance Authority (CJPIA)
 - (2) Economic Vitality Corporation (EVC)
 - (3) Tourism Marketing Committee

14. COUNCIL COMMUNICATIONS

Council Member Barneich wished her husband a happy birthday.

Mayor Hill announced that the South San Luis Obispo County Sanitation District Board would be holding a special (closed session) meeting tomorrow at 4:30 p.m. at the Grover Beach Council Chambers regarding anticipated litigation, and the next regular meeting would be a week from tomorrow at the Grover Beach Council Chambers at 6:00 p.m.

15. COMMUNITY COMMENTS AND SUGGESTIONS

None.

16. CLOSED SESSION

At 7:54 p.m., City Attorney Whitham announced the City Council would adjourn to closed session to consider the following item:

- 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.

16. RECONVENE TO OPEN SESSION:

At 8:33 p.m., the Council reconvened to open session. City Attorney Whitham announced that there was no reportable action.

17. ADJOURNMENT

Mayor Hill adjourned the meeting at 8:34 p.m.

Jim Hill, Mayor

ATTEST:

Kelly Wetmore, City Clerk

(Approved at CC Mtg _____)