

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, FEBRUARY 25, 2014 COUNCIL CHAMBERS, 215 EAST BRANCH STREET ARROYO GRANDE, CALIFORNIA

1. CALL TO ORDER

Mayor Ferrara called the Regular City Council Meeting to order at 6:00 p.m.

2. ROLL CALL

City Council: Council Member Kristen Barneich, Council Member Jim Guthrie, Council Member Tim Brown, Mayor Pro Tem Joe Costello, and Mayor Tony Ferrara were present.

City Staff Present: City Manager Steven Adams, City Attorney Timothy Carmel, Director of Legislative and Information Services/City Clerk Kelly Wetmore, Director of Administrative Services Debbie Malicoat, Director of Community Development Teresa McClish, and Director of Public Works Geoff English.

3. FLAG SALUTE

Cub Scout Troop 413 led the Flag Salute.

4. INVOCATION

Dr. Mayer-Harnisch, Bahai Faith, delivered the invocation.

5. AGENDA REVIEW

5.a. Closed Session Announcements.

Mayor Ferrara reported that on Tuesday, February 25, 2014, after meeting in Closed Session regarding the following items, the Council reconvened into open session and announced that no reportable action was taken:

- Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:
Property: Lot 1, of Tract 3018, Located on Old Ranch Road, Arroyo Grande
Agency Negotiator: Steven Adams, City Manager
Negotiating Party: James & Eunice DeLuca
Under Negotiation: Price, Terms and Conditions of Potential Sale
- Conference with Labor Negotiator pursuant to Government Code Section 54957.6:
Agency Negotiators: Steven Adams, City Manager
Represented Employees: Arroyo Grande Police Officers' Association
- Conference with Labor Negotiator pursuant to Government Code Section 54957.6:
Agency Negotiator: Steven Adams, City Manager
Represented Employees: Service Employees International Union, Local 620

5.b. Ordinances Read in Title Only.

Council Member Brown moved, Council Member Costello 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

Speaking from the public was Bob Dockerty, regarding an unsightly chain link fence that has been installed in the back parking lot at the Five Cities Center behind Wal-Mart.

8. CONSENT AGENDA

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

Action: Council Member Costello moved, and Council Member Brown seconded the motion to approve Consent Agenda Items 8.a. through 8.l., with the recommended courses of action. City Attorney Carmel read the full titles of the Ordinances in Items 8.j. and 8.k. The motion passed on the following roll-call vote:

AYES: Costello, Brown, Barneich, Guthrie, Ferrara
NOES: None
ABSENT: None

8.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period February 1, 2014 through February 15, 2014.

8.b. Consideration of Statement of Investment Deposits.

Action: Received and filed the reports listing the current investment deposits of the City, as of January 31, 2014, as required by Government Code Section 53646(b).

8.c. Consideration of Approval of Minutes.

Action: Approved the minutes of the Regular City Council/City as Housing Successor Agency to the Dissolved Arroyo Grande Redevelopment Agency meeting of February 11, 2014, as submitted.

8.d. Consideration to Approve Amendment No. 1 to Consultant Services Agreement with Raftelis Financial Consultants, Inc.

Action: Approved Amendment No. 1 to the Consultant Services Agreement with Raftelis Financial Consultants, Inc. in the amount of \$7,580 to prepare a Water and Wastewater Rate Study Update.

8.e. Consideration of Acceptance of the Soto Sports Complex Barrier Removal Project, PW 2013-09.

Action: 1) Accepted the project improvements as constructed by T. Simons Company, Inc. in accordance with the plans and specifications for the Soto Sports Complex Barrier Removal Project; 2) Directed staff to file a Notice of Completion;

- and 3) Authorized release of the retention, thirty-five (35) days after the Notice of Completion has been recorded, if no liens have been filed.
- 8.f. Consideration of Acceptance of the 2013 Citywide Digout Project, PW 2013-07.**
Action: 1) Accepted the project improvements as constructed by CalPortland Construction in accordance with the plans and specifications for the 2013 Citywide Digout Project; 2) Directed staff to file a Notice of Completion; and 3) Authorized release of the retention, thirty-five (35) days after the Notice of Completion has been recorded, if no liens have been filed.
- 8.g. Consideration of Acceptance of the 2013 Street Resurfacing Project, PW 2013-08.**
Action: 1) Accepted the project improvements as constructed by American Asphalt South, Inc. in accordance with the plans and specifications for the 2013 Street Resurfacing Project; 2) Directed staff to file a Notice of Completion; and 3) Authorized release of the retention, thirty-five (35) days after the Notice of Completion has been recorded, if no liens have been filed.
- 8.h. Consideration of an Award of Contract to CalPortland Construction for the North Rena Sewer Relocation Project, PW 2014-06.**
Action: 1) Awarded a contract for the North Rena Sewer Relocation Project to CalPortland Construction in the amount of \$78,119; 2) Authorized the City Manager to approve change orders for 10% of the contract amount, \$7,812 for unanticipated costs during the construction phase of the project; 3) Appropriated \$44,000 from the Sewer Facilities Fund for the project; and 4) Directed the City Clerk to file a Notice of Exemption.
- 8.i. Consideration to Declare a Modular Office Unit as Surplus Property/Approval of Donation to the Lucia Mar Unified School District.**
Action: Adopted Resolution No. 4568 entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING ITEMS AS SURPLUS AND AUTHORIZING THEIR DONATION”***.
- 8.j. Consideration of Adoption of an Ordinance Adding Section 8.44.060 to Chapter 8.44 of Title 8 of the Arroyo Grande Municipal Code Relating to Weed Abatement.**
Action: Adopted Ordinance No. 659 entitled: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADDING SECTION 8.44.060 TO CHAPTER 8.44 OF TITLE 8 OF THE ARROYO GRANDE MUNICIPAL CODE RELATING TO WEED ABATEMENT”***.
- 8.k. Consideration of an Ordinance Repealing Chapter 13.24 of the Arroyo Grande Municipal Code and Adopting a New Chapter 13.24 Governing Grading, Adding a New Chapter 25 to Title 13 Regulating Illegal Discharges and Illicit Connections, and Adding New Sections to Title 16, Chapters 08 and 68 Regarding Design Requirements for Post Construction Stormwater Compliance.**
Action: Adopted Ordinance No. 660 entitled: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE REPEALING CHAPTER 13.24 OF THE ARROYO GRANDE MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 13.24 GOVERNING GRADING, ADDING A NEW CHAPTER 25 TO***

TITLE 13 REGULATING ILLEGAL DISCHARGES AND ILLICIT CONNECTIONS, AND ADDING NEW SECTIONS TO TITLE 16, CHAPTERS 08 AND 68 REGARDING DESIGN REQUIREMENTS FOR POST CONSTRUCTION STORMWATER COMPLIANCE”.

- 8.i. Consideration of a Resolution Authorizing Submittal of a Grant Application through the Sustainable Communities Planning Grant and Incentives Program Under Proposition 84 to Fund Development of a Climate Action Plan (CAP) Implementation Program Toolkit.

Action: Adopted Resolution No. 4569 entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACTION OF 2006 (PROPOSITION 84) FOR THE CLIMATE ACTION PLAN IMPLEMENTATION TOOLKIT”.**

9. PUBLIC HEARINGS

None.

10. CONTINUED BUSINESS

None.

11. NEW BUSINESS

- 11.a. Consideration of Request to Send a Letter to the San Luis Obispo County Board of Supervisors in Opposition to Hydraulic Fracturing in San Luis Obispo County.

City Manager Adams presented the staff report and recommended the Council provide direction to staff on whether to prepare a letter for signature by the Mayor to the San Luis Obispo County Board of Supervisors in opposition to hydraulic fracturing in San Luis Obispo County.

Mayor Ferrara invited public comment. Speaking from the public in opposition to hydraulic fracturing in SLO County and supporting a letter to the SLO County Supervisors were Kevin McCarthy, Tom Murray, Jeff Somer, Karen Stobbe, Tom Cyr, Kathy Murray, Les Dorman, Piper Adelman, Kenneth Price, Heidi Harmon, Chris Lewis, Chris Barrett, and Jeanne Blackwell. Barbara Harmon commented the Council should take no action at this time, stating that it is not identified in the Critical Needs Action Plan. No further comments were received.

Action: Council Member Costello moved to direct staff to prepare a letter stating the City Council of Arroyo Grande is opposed to any fracking in San Luis Obispo County until such time as thorough studies have been completed that can determine whether or not the fracking

process is going to affect our water supply, causes contamination of ground water, and fully addresses related seismic impacts. Council Member Brown seconded, and the motion passed on the following roll-call vote:

AYES: Costello, Brown, Barneich, Guthrie, Ferrara
NOES: None
ABSENT: None

12. CITY COUNCIL REPORTS

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

- (a) MAYOR FERRARA:
 - (1) San Luis Obispo Council of Governments/San Luis Obispo Regional Transit Authority (SLOCOG/SLORTA)
 - (2) South San Luis Obispo County Sanitation District (SSLOCSO)
- (b) MAYOR PRO TEM GUTHRIE:
 - (1) South County Area Transit (SCAT)
 - (2) Economic Vitality Corporation (EVC)
 - (3) California Joint Powers Insurance Authority (CJPIA)
 - (4) South San Luis Obispo County Sanitation District (Alternate)
- (c) COUNCIL MEMBER COSTELLO:
 - (1) Air Pollution Control District (APCD)
 - (2) Five Cities Fire Authority (FCFA)
- (d) COUNCIL MEMBER BROWN:
 - (1) Integrated Waste Management Authority Board (IWMA)
 - (2) County Water Resources Advisory Committee (WRAC)
- (e) COUNCIL MEMBER BARNEICH:
 - (1) Zone 3 Water Advisory Board
 - (2) Homeless Services Coordinating Council (HSOC)
 - (3) Tourism Committee

13. COUNCIL COMMUNICATIONS

Council Member Brown requested staff prepare a letter of support for Boy Scouts to use French Camp.

In response to a question by Council Member Brown regarding the Kristen Smart sign that was taken down in front of Murphy's Law Office, City Manager Adams commented that the property recently went up for sale.

Council Member Barneich referred to the chain link fence at Wal-Mart and City Manager Adams stated he would follow up on the matter.

14. STAFF COMMUNICATIONS

City Manager reported that the Police Department has moved into the Woman's Club and invited the Council to visit the site.

15. COMMUNITY COMMENTS AND SUGGESTIONS

Terry Levers, Huasna Valley, commented on the fracking issue and supported a ban on the activity.

16. CLOSED SESSION

None.

17. ADJOURNMENT

Mayor Ferrara adjourned the meeting at 7:15 p.m.

Jim Guthrie, Mayor Pro Tem

ATTEST:

Kelly Wetmore, City Clerk

(Approved at CC Mtg _____)