

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, AUGUST 28, 2018 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

1. CALL TO ORDER

Mayor Hill called the Regular City Council Meeting to order at 6:01 p.m.

2. ROLL CALL

City Council: Council Members Barbara Harmon, Kristen Barneich, and Tim Brown, Mayor Pro Tem Caren Ray, 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 Public Works Bill Robeson, and Director of Community Development Teresa McClish.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Jared and Maureen Sharon, representing Arroyo Grande Valley Kiwanis, led the Flag Salute.

5. AGENDA REVIEW

5.a. Closed Session Announcements.

None.

5.b. Ordinances Read in Title Only.

Council Member Brown moved, Council Member Barneich 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 in Recognition of the Grizzly Academy.

Mayor Hill presented a Mayor's Commendation to cadets of the Grizzly Academy in recognition and appreciation of their assistance with highway cleanup along El Camino Real and park maintenance at Elm Street Park, including the tennis courts and walkways, playground, and retention basin, as well as graffiti removal from the park picnic tables.

7. CITIZENS' INPUT, COMMENTS, AND SUGGESTIONS

Mayor Hill invited public comment. Speaking from the public were Linda Osty, who offered an invocation; Dominique Dashwood, Cal Poly student, spoke in support of Measure G (Ban Fracking and Oil Expansion in SLO County Initiative), referred to the number of people in attendance who support Measure G, and requested the Council place the matter on a future agenda to consider a position of support for the measure; Richard Robertson, spoke in support of Measure G and suggested that there should be an open forum held to educate the community; Patty Welsh, spoke regarding personnel and accounting issues at the Integrated Waste Management Authority; Kevin O'Gorman, spoke in support of Measure G; Natalie Reisner, spoke in support of Measure G; Alice

Butterick, spoke in support of Measure G; Laura Sheehan, spoke in support of Measure G; Rick London, United Way CEO, spoke about the Real Cost Measure 2018 Report recently released by United Way of California; Jack, urged the Council to stay neutral on Measure G and stated it is a County-wide issue; Judith King, spoke in opposition of Measure G; Mary Eister; spoke in support of Measure G; Jose Bajera, spoke in opposition of Measure G and encouraged the Council to stay neutral; Colleen Kubel, suggested that Measure G should be addressed at a community forum; Cheryl Storton, spoke in support of Measure G; Brad Snook, spoke in support of Measure G and agreed that the Council should take a position on the measure; Robert Olson, commented that the City Council does not historically take positions on County-wide issues; Joe Rillo, spoke in opposition of Measure G; and Peter Burn, spoke in opposition of Measure G. No further public comments were received.

8. CITY MANAGER/DIRECTOR REPORTS

City Manager Bergman introduced Public Works Director Robeson who expressed appreciation to the Arroyo Grande Football team and coaches for their efforts in cleaning up the Soto Sports Complex. City Manager Bergman then provided an update on Senate Bill (SB) 1090 regarding the Diablo Canyon nuclear power plant and reported that a letter from the Coalition of Cities had been sent to Governor Brown requesting his support of the bill. City Manager Bergman also provided an overview of the City's Request Tracker system, which is an online tool available to the public on the City's website for reporting concerns in the community.

9. CONSENT AGENDA

Council Member Harmon requested that Item 9.d. be pulled, and Mayor Pro Tem Ray requested that Item 9.g. be pulled for a separate vote.

City Attorney Whitham read the full title of the Ordinance in Item 9.g. as follows: ***"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE REPEALING CHAPTERS 2.21, 2.24 AND 2.32 OF TITLE 2 OF THE ARROYO GRANDE MUNICIPAL CODE TO DISBAND THE TRAFFIC COMMISSION, PARKS AND RECREATION COMMISSION AND HISTORICAL RESOURCES COMMITTEE; AMENDING CHAPTER 2.18 OF TITLE 2 RELATING TO THE PLANNING COMMISSION AND HISTORIC DESIGNATION; AND ADDING SECTION 1.04.140 TO TITLE 1 TRANSFERRING THE DUTIES OF THE TRAFFIC COMMISSION, PARKS AND RECREATION COMMISSION AND HISTORICAL RESOURCES COMMITTEE"***.

Mayor Hill invited public comment on the remaining items. Speaking from the public were Brad Snook, regarding Item 9.f., stating that the Council should consider going to Stage 1 for water conservation; and Patty Welsh, regarding Item 9.f. expressing concern about the wells going dry. No further public comments were received.

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

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

- 9.a. Consideration of Cash Disbursement Ratification.**
Action: Ratified the listing of cash disbursements for the period August 1, 2018 through August 15, 2018.
- 9.b. Consideration of Statement of Investment Deposits.**
Action: Received and filed the report listing investment deposits of the City of Arroyo Grande, as of July 31, 2018, as required by Government Code Section 53646(b).
- 9.c. Consideration of Approval of Minutes.**
Action: Approved the minutes of the Regular City Council Meeting of August 14, 2018, as submitted.
- 9.e. Consideration of Approval of an Agreement for 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.
- 9.f. Monthly Water Supply and Demand Update.**
Action: Received and filed the monthly Water Supply and Demand Report.

ITEMS PULLED FROM THE CONSENT AGENDA

- 9.d. Consideration of Agreement for Legal Services with Carmel & Naccasha.**
Recommended Action: Approve the revised Agreement for Legal Services with Carmel & Naccasha.

In response to questions by Council Member Harmon, City Manager Bergman explained the basis for determining the 6% CPI increase and explained that although the proposal includes an increase in the hourly rates, it does not mean the budget is being increased. He noted that the budget for legal services came in under budget last fiscal year and that the last two rate increases occurred in 2007 and 2014.

Mayor Hill invited public comment. Speaking from the public was Patty Welsh, who asked if the City had looked into other law firms and compared prices. No further public comments were received.

In response to public comment, City Manager Bergman provided an overview of the comparison of legal services rates throughout San Luis Obispo County.

Action: Council Member Harmon moved to approve the revised Agreement for Legal Services with Carmel & Naccasha. Mayor Pro Tem Ray seconded, and the motion passed on the following roll-call vote:

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

- 9.g. Consideration of Adoption of an Ordinance Amending the Arroyo Grande Municipal Code to Disband the Traffic Commission, Parks and Recreation Commission and Historical Resources Committee and Transfer Duties.**
Recommended Action: Adopt an Ordinance repealing Chapters 2.21, 2.24 and 2.32 of Title 2 of the Arroyo Grande Municipal Code to disband the Traffic Commission, Parks and Recreation Commission, and Historical Resources Committee; amending Chapter

2.18 of Title 2 relating to the Planning Commission and Historic Designation; and adding Section 1.04.140 to Title 1 transferring the duties of the Traffic Commission, Parks and Recreation Commission and Historical Resources Committee.

Mayor Pro Tem Ray stated she was the dissenting vote at the last meeting when the Ordinance was introduced and she had requested the item be pulled for a separate roll call vote.

Brief Council comments ensued and staff responded to additional questions from Council.

Mayor Hill invited public comment. Speaking from the public were Tim Storton, who thanked the Council for the opportunity to serve on the Traffic Commission and expressed concerns regarding traffic issues within the City; Coleen Kubel, commented on the need to save money and reorganize in order to be more efficient and expressed concern as to whether the City is ready to take this step; Nan Fowler, referred to the letter she sent to Council and expressed concern regarding the loss of volunteers who are committed to the City and urged the Council to reconsider their decision; Patty Welsh, expressed concern regarding an issue on Huasna Road and the difficulty bringing concerns forward; Jim Guthrie, commented on the City Budget the Council recently approved, and provided a comparison of the advisory boards and commissions appointed by other cities in the County; Terry Fowler-Payne, expressed concern about the loss of public input and involvement; Keith Storton, noted he had previously served on the Parks and Recreation Commission and serves on the Architectural Review Committee now, commented on the depletion of staff and other resources over the years, supported the idea of public forums, suggested reviewing and re-evaluating the matter in one year, and stated there were other avenues for public involvement; and Patricia Price, stated she had learned a lot on the Historical Resources Committee, commented that when citizens want to get involved, they will, and urged people to get involved and be heard. No further public comments were received.

Action: Council Member Brown moved to adopt an Ordinance entitled: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE REPEALING CHAPTERS 2.21, 2.24 AND 2.32 OF TITLE 2 OF THE ARROYO GRANDE MUNICIPAL CODE TO DISBAND THE TRAFFIC COMMISSION, PARKS AND RECREATION COMMISSION AND HISTORICAL RESOURCES COMMITTEE; AMENDING CHAPTER 2.18 OF TITLE 2 RELATING TO THE PLANNING COMMISSION AND HISTORIC DESIGNATION; AND ADDING SECTION 1.04.140 TO TITLE 1 TRANSFERRING THE DUTIES OF THE TRAFFIC COMMISSION, PARKS AND RECREATION COMMISSION AND HISTORICAL RESOURCES COMMITTEE”***. Council Member Harmon seconded, and the motion passed on the following roll-call vote:

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

10. PUBLIC HEARINGS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

- 12.a. Consideration of Introduction of an Ordinance Amending Section 5.25.070 of Title 5 of the Arroyo Grande Municipal Code to Reauthorize the Public, Educational, and Government Access Fee on State Cable Franchises Operating within the City.**

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 SECTION 5.25.070 OF TITLE 5 OF THE ARROYO GRANDE MUNICIPAL CODE TO REAUTHORIZE THE PUBLIC, EDUCATIONAL, AND GOVERNMENT (PEG) FEE ON STATE CABLE FRANCHISEES OPERATING WITHIN THE CITY”.**

City Manager Bergman presented the staff report and recommended the Council introduce an Ordinance amending Section 5.25.070 of Title 5 of the Arroyo Grande Municipal Code (AGMC) to reauthorize the Public, Educational and Government (PEG) fee on State cable franchisees operating with the City.

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

Action: Mayor Pro Tem Ray moved to introduce an Ordinance amending Section 5.25.070 of Title 5 of the Arroyo Grande Municipal Code (AGMC) to reauthorize the Public, Educational and Government (PEG) fee on State cable franchisees operating with the City. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

AYES: Ray, Barneich, Brown, Harmon, Hill
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. *Mayor Hill noted that he would no longer serve on this Subcommittee due to the FPPC’s determination that he has a conflict of interest due to ownership of real property near the project.*

(b) MAYOR PRO TEM RAY:

- (1)** California Joint Powers Insurance Authority (CJPIA)
- (2)** Economic Vitality Corporation (EVC). *Mayor Pro Tem Ray noted that the City cancelled its membership with the EVC; therefore, she is no longer serving on this Board.*
- (3)** Tourism Marketing Committee
- (4)** Community Action Partnership San Luis Obispo (CAPSLO)

- (c) **COUNCIL MEMBER 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

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

- (e) **COUNCIL MEMBER HARMON:**
 - (1) County Water Resources Advisory Committee (WRAC)
 - (2) Air Pollution Control District (APCD)
 - (3) Five Cities Fire Authority (FCFA)

14. COUNCIL COMMUNICATIONS

Council Member Barneich requested, and the Council concurred, to place an item on a future agenda to consider declaration of a shelter crisis in the City. Council Member Barneich also announced the next free Senior Tech Clinic would be held on September 22nd from 10:00 to 11:30 a.m. at the Council Chambers where teens from Arroyo Grande High School will provide seniors assistance with their computers, tablets and mobile devices.

Mayor Hill thanked Council Member Brown for his service on the IWMA Board.

15. COMMUNITY COMMENTS AND SUGGESTIONS

None.

16. CLOSED SESSION

None.

17. ADJOURNMENT

Mayor Hill adjourned the meeting at 8:12 p.m.

Jim Hill, Mayor

ATTEST:

Kelly Wetmore, City Clerk

(Approved at CC Mtg _____)