

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, NOVEMBER 27, 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 6:00 p.m.

2. ROLL CALL

City Council: Council Members Barbara Harmon, Kristen Barneich, 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, Chief of Police Beau Pryor, Director of Community Development Teresa McClish, and City Engineer Robin Dickerson.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Gary Hoving, representing South County Historical Society, 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. Introduction of New Employee – Karen Beaudin, Recreation Coordinator.

Recreation Services Director Bohlken introduced Karen Beaudin as the City's new Recreation Coordinator and highlighted her educational and professional background.

7. CITIZENS' INPUT, COMMENTS, AND SUGGESTIONS

Mayor Hill invited public comment. Speaking from the public were: Coleen Kubel, who thanked Mayor Hill for his service to the City; Sharlotte Wilson, thanked Council Members Harmon and Brown for their service and Mayor Hill for his transparency regarding the City's finances and his commitment to the City and staff; and Shirley Gibson, thanked Council Members Harmon and Brown and Mayor Hill for their service, acknowledged the difficulty of their duties and stated that she appreciated their support on the Bridge Street Bridge rehabilitation project and preservation of the Methodist Camp. No further public comments were received.

8. CITY MANAGER/DIRECTOR REPORTS

None.

9. CONSENT AGENDA

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

In response to questions by Mayor Pro Tem Ray regarding Item 9.d. (Monthly Water Supply and Demand Update) as it relates to Lopez Lake storage falling below 20,000 acre feet, Council Member Barneich acknowledged the triggers in the Low Reservoir Response Plan for declaring a water emergency; however, the Technical Advisory Committee recently met and made a determination to wait until after the rainy season, and that they would be reassessing the reservoir level at its next meeting in January.

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

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

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

9.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period November 1, 2018 through November 15, 2018.

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 October 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 November 13, 2018, as submitted.

9.d. Monthly Water Supply and Demand Update.

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

9.e. Consideration of a Consultant Services Agreement with Water Systems Consulting, Inc. to perform an Enhanced Groundwater Recharge Evaluation as part of the Stormwater Resources Planning Grant.

Action: Approved a Consultant Services Agreement with Water Systems Consulting in order to evaluate the water supply benefits of potential future groundwater recharge projects as well as meet the matching funds requirements of the Grant Agreement with SWRCB.

ITEMS PULLED FROM THE CONSENT AGENDA

9.f. Consideration to Adopt Resolutions Accepting Easements and Public Improvements; and the Summary Vacation of a Portion of a Public Sewer, Water and Access Easement for Tract 3048.

Recommended Action: 1) Adopt a Resolution accepting easements and public improvements for Tract 3048; and 2) Adopt a Resolution vacating a portion of a public sewer, water and access easement in Tract 3048 as an excess right-of-way and utility easement.

Council Member Harmon disclosed ex-parte communication with property owners Darryl Burg and Mike Dailey, who have properties adjacent to the Heights at Vista del Mar, and Council Member Barneich, requested clarification regarding acceptance of the easements and improvements, and summary vacation for a portion of the public easements, and whether the developer has satisfied the City's conditions of approval, specifically regarding issues relating to drainage. Staff responded that all conditions of approval related to the public improvements for the tract had been met, and responded to additional questions from Council.

Mayor Hill invited public comment. Speaking from the public was Mike Dailey, regarding his property that flooded which motivated the peer review of the initial drainage report, and expressed concerns regarding the drainage basin and emergency overflow spillway that directly flows into his backyard; Brett Whitaker, stated that improvements have been completed for two years and acceptance has been held up, and confirmed that all conditions of approval have been met; Ken Chacon, provided an overview of design standards for new development and spoke about the design of the drainage basin and addressed the design of Lot 11; Jason Blankenship, clarified that the adjacent property owners had water issues before the development and that they have completed everything the City has requested; and Daryl Burg, expressed concern with what would happen if the drainage fails and stated that there were some water issues during the rains last year. No further public comments were received.

In response to additional questions, City Engineer Dickerson explained that there is a one-year warranty period and that prior to the expiration of the warranty period, the City will verify that everything is up to standard, that even though the City is not accepting the private drainage improvements, there is an Operation and Maintenance (O&M) Agreement with the City that requires the Homeowners Association (HOA) to maintain facilities to the standards that were established at the time of construction and that each year the HOA will prepare inspection reports showing that inspection and maintenance has taken place per the O&M manuals that were previously prepared. In addition, staff explained that in the event the O&M Agreement is not followed, the Agreement contains an enforcement mechanism that would allow the City to force compliance if the terms of the O&M Agreement were not complied with.

Action: Council Member Harmon moved to adopt Resolutions entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ACCEPTING EASEMENTS AND PUBLIC IMPROVEMENTS FOR TRACT 3048 CONSTRUCTED BY HEIGHTS AT VISTA DEL MAR GROUP, LLC.”*** and ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE SUMMARILY VACATING A PORTION OF A PUBLIC SEWER, WATER AND ACCESS EASEMENT IN TRACT 3048”***. 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

10. PUBLIC HEARINGS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

12.a. Consideration of Certification of the Five-Year Radar Speed Survey for Selected City Streets.

Community Development Director McClish introduced the staff report and recommended that the Council adopt a Resolution certifying the five-year radar speed survey for selected City streets.

Brian Rodriguez, MNS Engineers, presented findings of the engineering and traffic survey.

Mayor Hill invited public comment. Speaking from the public was Bob Perez, expressed concern that the conditions of approval and traffic calming methods for Grace Lane have not been completed, commented that a flaw with the speed survey is that the Chief cannot enforce speed without a speed survey in place, referred to the vertical curve and low visibility on Grace Lane and requested lowering the speed limit to 30 and 25 mph while children are present and installing two radar signs; Claudine Lingo, expressed concerns with the timing of the speed survey being conducted while school was not in session; Robert Olson, asked for clarification regarding the actual number of recommended changes in speed limits; and Dennis Lingo, who asked for the status of street calming measures on Grace Lane. No further public comments were received.

Action: Mayor Pro Tem Ray moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE CERTIFYING THE FIVE-YEAR RADAR SPEED SURVEY FOR SELECTED CITY STREETS”**, with the additional stipulations that when the development is complete on Courtland, that the City re-assess the Courtland sections (Section No. 47 and the Section between Blueberry and Ash), and E. Cherry Section 14, when that development is complete, within three months of the end of both developments. Council Member Brown seconded, and the motion passed on the following roll-call vote:

AYES: Ray, Brown, Barneich, 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)

- (b) **MAYOR PRO TEM RAY:**
 - (1) California Joint Powers Insurance Authority (CJPIA)
 - (2) Tourism Marketing Committee
 - (3) 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 Brown stated this would be his last meeting and commented on the things he is thankful for, including being a foster child of parents who raised 28 foster children who taught them to give back to their community; for raising five kids with his ex-wife Sandra which gave him the passion to give back to Arroyo Grande; for his constituents who understood what he was passionate about including agriculture and historic preservation and fiscal responsibility; for the Japanese farming community; for Community Development Director McClish for her knowledge and assistance of the California Environmental Quality Act (CEQA) during his tenure on the Planning Commission; for the ability to televise Council and Planning Commission meetings that allows citizens to view meetings from home; for Chuck Fellows whose friendship has helped him during his tenure on the City Council; and acknowledged and thanked Linda Osty who has provided invocations at Council meetings.

Mayor Hill stated it was not his last meeting, but thanked everyone for the kind comments at the beginning of the meeting, for their support over the last four years, and for everyone's involvement in the community. He stated that Arroyo Grande is a remarkable place, the City has so many volunteers and people that care about the community, and he urged everyone to continue providing support to the new City Council and to stay involved in the community. He thanked the residents that have supported the City Council over the past four years, thanked the Council, and thanked staff. He stated that any success he has had as Mayor has been related to the work of City staff, and acknowledged that staff spends a lot of time volunteering their time at City events to show how much they care about the City. He concluded by thanking everyone for the privilege of leading the City for the last four years.

15. COMMUNITY COMMENTS AND SUGGESTIONS

None.

16. CLOSED SESSION

None.

17. ADJOURNMENT

Mayor Hill adjourned the meeting at 8:30 p.m.

Mayor

ATTEST:

Kelly Wetmore, City Clerk

(Approved at CC Mtg _____)