

MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, JULY 13, 2010 COUNCIL CHAMBERS, 215 EAST BRANCH STREET ARROYO GRANDE, CALIFORNIA

1. CALL TO ORDER

Mayor Ferrara called the Regular City Council meeting to order at 7:00 p.m.

2. ROLL CALL

City Council: Council Member Joe Costello, Council Member Chuck Fellows, Council Member Caren Ray, Mayor Pro Tem Jim Guthrie and Mayor Tony Ferrara were present.

City Staff Present: City Manager Steven Adams, City Attorney Tim Carmel, Director of Legislative and Information Services/City Clerk Kelly Wetmore, Director of Recreation and Maintenance Services Doug Perrin, and Community Development Director Teresa McClish.

3. FLAG SALUTE

Mike Lumberdini, representing Knights of Columbus, led the Flag Salute.

4. INVOCATION

Pastor Robert Banker, Open Door Church, delivered the invocation.

5. SPECIAL PRESENTATIONS

None.

6. AGENDA REVIEW

6.a. Ordinances Read in Title Only.

Council Member Costello moved, Mayor Pro Tem Guthrie seconded, and the motion passed unanimously that all ordinances presented at the meeting shall be read in title only and all further readings be waived.

7. CITIZENS' INPUT, COMMENTS, AND SUGGESTIONS

Patty Welsh, Pradera Court, stated she had finally met with City Manager Adams, however, he did not answer most of her questions; referred to Municipal Code Section 10.16.010 prohibiting parking which she believed would have been effective in resolving her complaint; expressed concern about the City's lack of transparency. She further expressed concerns about the reduced time limit on public comment during consideration of the Centennial Plaza project; that the City needs to work harder on informing the citizens on meetings that will be contentious and allow more time for citizens to speak. She said she would be happy if the City was truly transparent and financially responsible; and encouraged more people to run for Mayor.

8. CONSENT AGENDA

Mayor Ferrara invited members of the public who wished to comment on any Consent Agenda Item to do so at this time.

Steve Ross, referred to Item 8.j. (Fund Transfer for the East Branch Streetscape Project) and inquired about the revenue shortfall and the proposed fund transfer.

At Mayor Ferrara's request, City Manager Adams explained there would be a transfer of excess funds from the Pavement Management Program to cover costs in the E. Branch Streetscape project. He explained that a portion of the project was grant funded and that some of the improvements related to the crosswalks were not eligible for reimbursement from the grant; therefore, staff was recommending the proposed fund transfer.

Hearing no further comments, Mayor Ferrara closed the public comment period.

Action: Council Member Fellows moved, and Council Member Ray seconded the motion to approve Consent Agenda Items 8.a. through 8.j., with the recommended courses of action. City Attorney Carmel read the full title of the Ordinance in Item 8.f. The motion passed on the following roll-call vote:

AYES: Fellows, Ray, Costello, Guthrie, Ferrara
NOES: None
ABSENT: None

8.a. Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period June 16, 2010 through June 30, 2010.

8.b. Consideration of Approval of Minutes.

Action: Approved the minutes of the Regular City Council Meeting of June 8, 2010, and the Regular City Council/Redevelopment Agency Meeting of June 22, 2010, as submitted.

8.c. Consideration of a Resolution Accepting the Results of the Special Municipal Election Held Tuesday, June 8, 2010.

Action: Adopted Resolution No. 4296 as follows: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ACCEPTING THE CERTIFICATE OF THE COUNTY CLERK - RESULTS OF CANVASS OF ALL VOTES CAST AT THE JUNE 8, 2010 CONSOLIDATED SPECIAL MUNICIPAL ELECTION"***.

8.d. Consideration of Council Appointment to Planning Commission.

Action: Approved the recommendation of Council Member Caren Ray to appoint Jennifer Martin to the Planning Commission.

8.e. Consideration of a Sewer System Management Plan (SSMP) and Fats, Oils and Grease (FOG) Program Member Agency (MA) Agreement with South San Luis Obispo County Sanitation District (SSLOCSD).

Action: Approved the Member Agency Agreement for South San Luis Obispo County Sanitation District to continue to manage the Sewer System Management Plan (SSMP) and the Fats, Oils and Grease (FOG) Control Program for the City.

8.f. Consideration of Adoption of an Ordinance Adding Chapter 5.90 to Title 5 of the Arroyo Grande Municipal Code Regarding Bingo and Remote Caller Bingo Games.

Action: Adopted Ordinance No. 625 as follows: ***"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADDING CHAPTER 5.90 TO TITLE 5 OF THE ARROYO GRANDE MUNICIPAL CODE REGARDING BINGO AND REMOTE CALLER BINGO GAMES"***.

8.g. Consideration of Acceptance of the Elm Street Community Center ADA Retrofit Project, PW 2009-10.

Action: 1) Accepted the project improvements as constructed by Spiess Construction Co. Inc. in accordance with the plans and specifications for the Elm Street Community Center ADA Retrofit Project; 2) Approved an appropriation of \$6,082 from the Community Recreation Center Impact Fund; 3) Directed staff to file a Notice of Completion; and 4) Authorize 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 Acceptance of the Pearwood Avenue Rehabilitation Project, PW 2010-03.

Action: 1) Accepted the project improvements as constructed by Ferravanti Grading and Paving in accordance with the plans and specifications for the Pearwood Avenue Rehabilitation 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.i. Consideration of Agreements to Provide Personnel and Administrative Services to the Five Cities Fire Joint Powers Authority.

Action: 1) Approved an Agreement with the Five Cities Fire Joint Powers Authority to provide fire personnel; and 2) Approved an Agreement with the Authority to provide administration services.

8.j. Consideration of Fund Transfer for the East Branch Streetscape Project, PW 2009-01.

Action: Approved a transfer of \$41,000 from the Pavement Management Program CIP project for the East Branch Streetscape Project to address recently discovered revenue shortfalls.

9. PUBLIC HEARINGS

None.

10. CONTINUED BUSINESS ITEMS

None.

11. NEW BUSINESS ITEMS

11.a. Consideration of Maintenance Options and Status Report of the Elm Street Off Leash Dog Park.

Recreation and Maintenance Services Director Perrin presented the staff report and recommended the Council: 1) Approve use of wood chips as the renovation option for the Elm Street Off Leash Dog Park; and 2) Review and comment on the Elm Street Off Leash Dog Park Status Report.

Staff responded to Council questions regarding research on dog parks with grass that have been successfully maintained, which were not found; that County Parks staff indicated there was no smell associated with the use of wood chips in County dog parks; that complaints about the City's dog park have been responded to; when public notices about the meeting were mailed to neighboring properties; material and labor cost comparisons for placement of wood chips vs. decomposed granite; the type of wood chips being proposed (regular or redwood); whether wood chips needed to be watered; and whether the City's supply of wood chips can be chopped to provide a finer surface.

Mayor Ferrara invited comments from those in the audience who wished to be heard on the matter.

Cynthia Ecklund, President, Five Cities Dog Park Association (FCDPA), thanked the Council for providing the dog park in Arroyo Grande; stated its success has caused the grass to die; commented on the renovation options; noted the area is a half acre and serves a lot of dog owners and dogs; noted that Waller Park in Santa Maria has grass, but it is a larger park; commented on lack of smell from wood chips; that no irrigation is required for wood chips; expressed concern about a grass border around the wood chips due to maintenance issues; that any type of wood (except from palm trees) would work; and noted that the small dog area would remain as grass.

Patty Welsh, Pradera Court, thanked the Council for the dog park; expressed concern with use of pine chips; stated there was no smell from wood chips; that they help with erosion prevention; expressed concern with decomposed granite particularly with large dogs and as it relates to maintenance.

Steve Ross, Garden Street, acknowledged that wood chips are most economical; expressed concern with erosion issues and potential for displacement of chips into drainage systems; and stated the City could get free wood chips from various sources.

Hearing no further comments, Mayor Ferrara closed the public comment period.

Mayor Ferrara suggested continuing the item in order to visit other dog parks that use wood chips.

Council comments ensued in support of wood chips as the most cost efficient solution; that concerns expressed about smell appeared to be minimal to non-existent; a suggestion to start with the wood chip option as it is the most responsible solution as it relates to water use; that the Council could consider decomposed granite later if necessary; support for the wood chips without a grass border as the FCDPA has researched the matter; a suggestion for a built in walkway along the fence line and area near the building for dog owners as a long term solution; and clarification that the proposal does not include a request for any appropriation of funds..

Director Perrin explained that the proposal would be to remove all existing turf and use all wood chips with a barrier along the edge of the fence to prevent wood chips from spilling onto the grass in the park. He further stated that staff would bring this back with a final proposal in August to allow for an environmental determination on the preferred option. In response to questions by Mayor Ferrara, he clarified that there would be the ability to have a drip irrigation system. Mayor Ferrara suggested looking at the patterns of use and the potential for providing areas of landscape and planters around the borders or in corners to break up the look of such a large area of wood chips. He stated that Arroyo Grande in Bloom members may be able to assist with that on a volunteer basis.

Action: Council Member Costello moved to conceptually approve the Parks and Recreation Commission's recommendation of wood chips as the renovation option and to direct staff to come back with a specific proposal for final action, including funding and appropriate environmental review. Mayor Pro Tem Guthrie seconded, and the motion passed on the following roll call vote:

AYES: Costello, Guthrie, Fellows, Ray, Ferrara
NOES: None
ABSENT: None

11.b. Consideration of Approval of the Children In Motion Subcommittee's Recommendations to Eliminate the City's Subsidy of the Children In Motion Program.

Recreation and Maintenance Director Perrin presented the staff report and recommend the Council: 1) Pursue various fundraising events and seek straight donations through a Friends of Children In Motion ("CIM") group; 2) Expand specialized after-school enrichment and sports programming; 3) Expand marketing efforts to increase enrollment; 3) Reduce future costs by eliminating vacation and sick leave benefits for future part-time teachers and aides; 5) Restructure department staffing and the program sites; and 6) Delay City Council decision regarding the Child Care Coordinator position until August in order to consider a reorganization opportunity that may arise due to a possible retirement within the Recreation Division.

Council questions ensued regarding the City's current subsidy of \$50–55k as it relates to direct and administrative costs; clarification concerning elimination of the savings due to increased costs to the General Fund for the Recreation Supervisor to supervise other recreation programs if the Child Care Coordinator position is eliminated; clarification of the duties of the Childcare Coordinator and Recreation Supervisor positions as it relates to the CIM program and proposed restructuring strategies; clarification of administrative costs for the Bright Futures Program; a suggestion that the City's job descriptions be specific as to position duties and responsibilities; and clarification concerning increases in enrollment due to marketing efforts.

Mayor Ferrara invited comments from those in the audience who wished to be heard on the matter, and upon hearing no comments, he closed the public comment period.

Council Member Costello provided the following comments:

- Does not want to see the CIM program go away;
- Acknowledged the City needs to cut back;
- Acknowledged marketing efforts to increase enrollment and hoped future efforts will continue to increase enrollment;
- Supported all of the Subcommittee's recommendations;
- Could support elimination of the program at Branch Elementary;
- Understood this issue may have to be revisited in the future.

Council Member Fellows provided the following comments:

- Believed the benefits to the community of maintaining the CIM program but making the changes recommended by the Subcommittee far outweigh the disadvantages that may be experienced in the short term;
- Acknowledged the work of the Subcommittee and supported all the recommendations and to delay the decision regarding the Child Care Coordinator;
- Acknowledged staff's dedication to the program; can't shortchange the children in our community.

Council Member Ray provided the following comments:

- Noted that her children had participated in and enjoyed the program for years and it is a fantastic and important program;
- Supported the expansion of specialized after-school enrichment and sports programming to increase revenue;

- Supported the delay regarding the Child Care Coordinator until August;
- Suggested creation of more specific job descriptions in the future to help properly allocate funding and staffing.

Mayor Pro Tem Guthrie provided the following comments:

- Stated if the City eliminated or reduced efforts in this area, there are other organizations that would pick up the program;
- Believed that there has been an increase of organizations over the years providing this service;
- Stated if half of the program is going away because of Bright Futures, it would be reasonable to expect that the Recreation Supervisor would be able to pick up the program;
- Should proceed with the original proposal to eliminate the Child Care Coordinator position and transfer those responsibilities directly to the Supervisor position;
- Does not want to rely on potential retirements on which to base budget decisions;
- Noted the demand for childcare has changed and the demand for childcare is going down, so those responsibilities should be transferred out of the City to free up some money in the budget;
- Would support the Alternative recommendation to not approve the recommendations of the Subcommittee and to eliminate the Coordinator position and the program at Branch School.

Council Member Ray requested clarification from Mayor Pro Tem Guthrie regarding the other staff recommendations regarding fundraising, enrichment programs, etc. Mayor Pro Tem Guthrie stated that he did not think they would be necessary, and that additionally, the City would be competing with all the other non-profits for funding. He noted this is the third year that this issue has been addressed and each time there is a new plan that has failed.

Mayor Ferrara provided the following comments:

- Supported staff's recommendations noting that in better times, the Council would have more control over the budget than there is now, and it is a matter of how to manage it;
- Acknowledged existing budget constraints since the economy has declined; acknowledged Citywide efforts to reduce costs and staffing while maintaining services, programs, and staff;
- Supports proposed approach; supported the delay to allow time for additional review;
- Stated he was proud of staff and the Subcommittee and supported their recommendations.

Action: Council Member Fellows moved to: 1) Pursue various fundraising events and seek straight donations through a Friends of Children In Motion group; 2) Expand specialized after-school enrichment and sports programming; 3) Expand marketing efforts to increase enrollment; 3) Reduce future costs by eliminating vacation and sick leave benefits for future part-time teachers and aides; 5) Restructure department staffing and the program sites; and 6) Delay City Council decision regarding the Child Care Coordinator position until August in order to consider a reorganization opportunity that may arise due to a possible retirement within the Recreation Division. Council Member Costello seconded, and the motion passed on the following roll call vote:

AYES: Fellows, Costello, Ray, Ferrara
NOES: Guthrie
ABSENT: None

12. CITY COUNCIL REPORTS:

(a) MAYOR TONY FERRARA:

- (1) San Luis Obispo Council of Governments/San Luis Obispo Regional Transit Authority (SLOCOG/SLORTA).** Has not met since the last report.
- (2) South San Luis Obispo County Sanitation District (SSLOCSD).** Approved the Budget for the upcoming year; received a presentation on water recycling; will be attending a field trip next Tuesday to Monterey County with several local farm families to receive a program description and presentation on the use of recycled water from farmers and staff from Monterey County;
- (3) Brisco/Halcyon/Hwy 101 Interchange Project Subcommittee.** Reported that the most recent Alternative was not supported by Caltrans due to elevation issues related to the hook ramp design; however, elements from the previous Alternative for use of auxiliary lanes may be viable.
- (4) Other.** Will be attending the League of California Cities Board meeting in Riverside County this week.

(b) MAYOR PRO TEM JIM GUTHRIE:

- (1) South County Area Transit (SCAT).** Has not met since the last report.
- (2) Community Action Partnership.** Reported that CAPSLO is the applicant for the homeless campus in San Luis Obispo; reviewed budget and found significant cost savings and are closer in being able to move forward with providing services.
- (3) California Joint Powers Insurance Authority (CJPIA).** No report.
- (4) Homeless Services Coordinating Council (HSOC).** Has not met since the last report.
- (5) Economic Vitality Corporation (EVC).** Has not met since the last report.
- (6) Tourism Committee.** Has not met since the last report.
- (7) Other.** None.

(c) COUNCIL MEMBER JOE COSTELLO

- (1) Zone 3 Water Advisory Board.** Has not met since the last report.
- (2) Air Pollution Control District (APCD).** Has not met since the last report.
- (3) Five Cities Fire Authority.** The Five Cities Fire Authority is now in place; the Board met last week and will continue to meet on a monthly basis; all actions taken at the first meeting were to ratify all the actions that were discussed at the Council level.
- (4) Children In Motion Subcommittee.** Has not met since the last report.
- (5) Other.** None.

(d) COUNCIL MEMBER FELLOWS:

- (1) Integrated Waste Management Authority Board (IWMA).** Has not met since the last report.
- (2) County Water Resources Advisory Committee (WRAC).** Reported that the Draft EIR on the Zone 1/1A Waterway Management Program is out for review; the deadline for comments is July 18th and staff is working on a

response. The Board also voted to support submitting a grant application for Prop 84 funds.

(3) **Other.** None.

(e) COUNCIL MEMBER RAY:

(1) **Economic Vitality Corporation (EVC).** Received a presentation by Collaborative Economics; will be coming up with an action plan called the Economic Strategy Plan for San Luis Obispo County.

(2) **California Joint Powers Insurance Authority (CJPIA).** No report.

(3) **Other.** None

13. CITY COUNCIL MEMBER ITEMS:

None.

14. CITY MANAGER ITEMS:

None.

15. COUNCIL COMMUNICATIONS:

Council Member Ray referred to the Council's earlier appointment of Jennifer Martin to the Planning Commission and welcomed her to public service. She acknowledged all the applicants and noted it was a tough decision to make a recommendation; however, she stated Jennifer is an architect, has 11 years of experience locally, and is familiar with the City's development codes and guidelines.

Council Member Fellows announced that the Council will not be meeting on July 27th.

16. STAFF COMMUNICATIONS:

City Manager Adams provided an update on the City's street projects.

17. COMMUNITY COMMENTS AND SUGGESTIONS:

None.

18. ADJOURNMENT

Mayor Ferrara adjourned the meeting at 9:20 p.m.

/s/ Tony Ferrara, Mayor

ATTEST:

/s/ Kelly Wetmore, City Clerk

(Approved at CC Mtg 08/10/2010)