

MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, MAY 13, 2008 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: Mayor Tony Ferrara, Mayor Pro Tem Chuck Fellows, Council Members Joe Costello, Jim Guthrie, and Ed Arnold were present.

City Staff Present: City Manager Steven Adams, City Attorney Tim Carmel, Director of Financial Services Angela Kraetsch, Director of Public Works Don Spagnolo, Chief of Police Steve Annibali, Director of Community Development Rob Strong, and Associate Planner Teresa McClish.

3. FLAG SALUTE

Members of AGPD Explorers led the Flag Salute.

4. INVOCATION

Pastor Robert Underwood, First United Methodist Church, delivered the invocation.

5. SPECIAL PRESENTATIONS

5.a. Honorary Proclamation Recognizing National Public Works Week.

Mayor Ferrara presented an Honorary Proclamation declaring the week of May 18-24, 2008 as "National Public Works Week". Director of Public Works/City Engineer Spagnolo accepted the Proclamation on behalf of the City.

6. AGENDA REVIEW

6.a. Ordinances Read in Title Only.

Council Member Costello moved, Council Member Arnold seconded, and the motion passed unanimously that all ordinances presented at the meeting shall be read in title only and all further reading be waived.

7. CITIZENS' INPUT, COMMENTS, AND SUGGESTIONS

None.

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. There were no public comments received.

Mayor Ferrara pulled Item 8.d. for a separate roll-call vote.

Action: Mayor Pro Tem Fellows moved, and Council Member Guthrie seconded the motion to approve Consent Agenda Items 8.a. through 8.h., with the exception of Item 8.d., with the recommended courses of action. The motion passed on the following roll-call vote:

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

8.a. Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period April 16, 2008 through April 30, 2008.

8.b. Consideration of a Resolution to Implement Internal Revenue Code Section 414(h)(2), for Employee Contributions to the California Public Employees' Retirement System.

Action: Adopted Resolution No. 4079 as follows: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE IMPLEMENTING THE PROVISIONS OF INTERNAL REVENUE CODE SECTION 414(H)(2), FOR EMPLOYEE CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)"**.

8.c. Consideration of Appointment to Parking Advisory Committee.

Action: Approved appointment of Greg Steinberger to the Downtown Parking Advisory Board.

8.e. Consideration to Accept the Poplar Basin Drainage Improvement Project, PW 2007-08.

Action: 1) Accepted the improvements as constructed by King Concrete and Construction, Inc. in the amount of \$17,562.50; 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 to Adopt a Resolution Accepting Easements and Improvements for Tract 2616, Ocean Oaks, Constructed by Camino Mercado Partners, LP, Located at 579 Camino Mercado.

Action: Adopted Resolution No. 4081 as follows: **"A Resolution of the City Council of the City Of Arroyo Grande Accepting Easements and Improvements for Tract 2616, Ocean Oaks, Located at 579 Camino Mercado, Constructed by Camino Mercado Partners, LP"**.

8.g. Consideration of Adoption of an Ordinance Amending Chapters 16.04 and 16.16 of Title 16 of the Arroyo Grande Municipal Code Regarding the Historic Resource Designation Process (Development Code Amendment 07-004).

Action: Adopted Ordinance No. 598 as follows: **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING CHAPTERS 16.04 AND 16.16 OF TITLE 16 OF THE ARROYO GRANDE MUNICIPAL CODE REGARDING THE HISTORIC RESOURCE DESIGNATION PROCESS"**.

8.h. Consideration to Authorize an Award of Bid for Purchase of Police/Fire Communications Radio Consoles.

Action: Authorized the award of bid to purchase radio consoles for the Police/Fire Communications Center to Watson Dispatch of Poulsbo, Washington in the amount of \$21,827.

8.d. Consideration of Adoption of a Resolution Upholding in Part and Denying in Part an Appeal Regarding the Extension of a "No Parking" Zone on Hillcrest Drive.

Recommended Action: Adopt a Resolution upholding in part and denying in part an appeal regarding the extension of a "No Parking" zone on Hillcrest Drive."

Action: Council Member Arnold moved, and Council Member Guthrie seconded the motion to approve Consent Agenda Item 8.d., with the recommended course of action. The motion passed on the following roll-call vote:

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

9. PUBLIC HEARINGS

9.a. Consideration of an Ordinance Adding Chapter 9.26 to Title 9 of the Arroyo Grande Municipal Code Prohibiting the Establishment of Medical Marijuana Dispensaries.

Police Chief Annibali recommended the Council introduce an Ordinance adding Chapter 9.26 to Title 9 of the Arroyo Grande Municipal Code prohibiting the establishment of Medical Marijuana Dispensaries.

Mayor Ferrara explained he had requested this issue be brought back for consideration due to recent actions by the League of California Cities (LOCC), specifically the Public Safety Policy Committee and LOCC Board. He spoke of recent legislation concerning the issue of medical marijuana and associated dispensaries, the ancillary issues that have developed in other jurisdictions as a result of the establishment of medical marijuana dispensaries, and stated the proposed Ordinance would clarify the issue. Council comments ensued in support of the proposed Ordinance, specifically until issues are resolved at the Federal level and there is consistency between State and Federal law.

Mayor Ferrara opened the public hearing, and upon receiving no comments, he closed the public hearing.

Action: Mayor Pro Tem Fellows moved to introduce an Ordinance as follows: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADDING CHAPTER 9.26 TO TITLE 9 OF THE ARROYO GRANDE MUNICIPAL CODE PROHIBITING THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSARIES”***. Council Member Guthrie seconded, and the motion passed on the following roll call vote:

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

9.b. Consideration of Development Code Amendment 08-001; A Proposed Ordinance to Amend Parking Regulations in the Vicinity of the Village, Allow Clustering of Lots in Lower Density Residential Neighborhoods, and to Provide Additional “Clean-Up” Amendments for Consistency with State Law Requirements.

Associate Planner McClish presented the staff report and recommended the Council introduce an Ordinance amending Arroyo Grande Municipal Code Chapter 16.56 (Parking and Loading Requirements) including parking standards for Barber Shops and Beauty Salons within the Village Core and Village Mixed Use Zoning Districts; amending Chapter 16.32 (Residential Districts)

regarding the clustering of lots in lower density residential neighborhoods; and amending Chapters 16.04 (Definitions) and 16.20 (Subdivisions) for consistency with State Law. Staff responded to questions from Council regarding the proposed parking standards for the Village Core and Village Mixed Use districts; the potential for revisiting parking standards when a common parking structure is built in the Village; and clarification concerning land use applications and standards for clustering of residences in lower density neighborhoods.

Mayor Ferrara opened the public hearing, and upon receiving no comments, he closed the public hearing.

Council comments ensued in support of the proposed Ordinance to amend parking standards in the Village and to allow clustering of lots in lower density residential districts. It was noted that one of the City's goals is to expand parking in the Village for all businesses.

Action: Council Member Arnold moved to introduce an Ordinance as follows: "**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING PORTIONS OF TITLE 16 OF THE ARROYO GRANDE MUNICIPAL CODE (DEVELOPMENT CODE AMENDMENT 08-001) AMENDING CHAPTER 16.56 (PARKING AND LOADING REQUIREMENTS) INCLUDING PARKING STANDARDS FOR BARBER SHOPS AND BEAUTY SALONS WITHIN THE VILLAGE CORE AND VILLAGE MIXED USE (VCD & VMU) ZONING DISTRICTS; AMENDING CHAPTER 16.32 (RESIDENTIAL DISTRICTS) REGARDING THE CLUSTERING OF LOTS IN LOWER DENSITY RESIDENTIAL NEIGHBORHOODS; AND AMENDING CHAPTERS 16.04 (DEFINITIONS) AND 16.20 (SUBDIVISIONS) FOR CONSISTENCY WITH STATE LAW**". Mayor Pro Tem Fellows seconded, and the motion passed on the following roll call vote:

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

10. CONTINUED BUSINESS ITEMS

None.

11. NEW BUSINESS ITEMS

None.

12. CITY COUNCIL MEMBER ITEMS

None.

13. CITY MANAGER ITEMS

None.

14. COUNCIL COMMUNICATIONS

Council Member Arnold referred to restaurants in the Village and encouraged everyone who is dining out to dine locally in the City's restaurants.

Mayor Ferrara gave an update on the installation of the City's entry signs at Traffic Way and at E. Grand Avenue. He also encouraged members of the public to volunteer for the Arroyo Grande In Bloom program every Saturday morning at 8:00 a.m. to assist in the City's beautification efforts.

15. STAFF COMMUNICATIONS

City Manager Adams announced a Special Joint Meeting/Public Workshop on Thursday, May 15th at 4:00 p.m. with the City Council, Architectural Review Committee, Planning Commission, and Historic Resources Committee on a potential project by Greg Nester in the Village. He also announced a Special City Council Meeting/Budget Workshop on May 29th at 6:00 p.m.

16. COMMUNITY COMMENTS AND SUGGESTIONS

None.

17. ADJOURNMENT

Mayor Ferrara adjourned the meeting at 8:02 p.m.

/s/ Tony Ferrara, Mayor

ATTEST:

/s/ Kelly Wetmore, City Clerk

(Approved at CC Mtg 05/27/08)