



MEMORANDUM

TO: CITY COUNCIL

FROM: JAMES BERGMAN, CITY MANAGER

BY: TERESA MCCLISH, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONSIDERATION 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

DATE: AUGUST 14, 2018

SUMMARY OF ACTION:

The proposed Ordinance will disband the Traffic Commission, Parks and Recreation Commission, and Historical Resources Committee in order to streamline City practices and provide more time for staff to serve customers.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

The proposed disbandment of specific Advisory Bodies is estimated to reduce a combined total of approximately 30 hours of staff time per month in the Community Development, Police, Public Works and Recreation Services Departments. This item is directly related to adopted reductions in the FY 2018/2019 and 2019/2020 Biennial Budget and will compensate for administrative and professional staff reductions by eliminating the generation of staff reports, noticing, staffing of public meetings, and productions of meeting minutes. The 30 hours represents approximately \$30,000 annually in salaries and benefits.

RECOMMENDATION:

It is recommended the City Council introduce 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.

BACKGROUND:

During consideration of the FY 2018/2019 and 2019/2020 Biennial Budget, the Council acknowledged potential impacts to City services due to staff reductions. One of the potential impacts was the ability to adequately staff all of the City's eight Advisory Bodies: Planning Commission, Traffic Commission, Parks and Recreation Commission, Downtown Parking Advisory Board, Architectural Review Committee, Historical Resources Committee,

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Tourism Business Improvement District Advisory Board, and Staff Advisory Committee (SAC). Except for the SAC, each of these City Advisory Bodies are subject to the Brown Act and include volunteers appointed by the City Council. The purpose of each Advisory Body is outlined in the City's Municipal Code Titles 2, 3 and 16.

Most of the advisory bodies were formed in the 1960's -1980's, within the context of a rapidly growing community, with most of the east-side of town undeveloped, and in a very different municipal revenue environment. During these dynamic times, previous councils created advisory bodies to better communicate and connect with the community, provide for workload management for Council, utilize community members with particular specialization and passion for issues, offer a training ground for prospective leaders, and to foster a closer community connection between the elected and citizens.

ANALYSIS OF ISSUES:

The City Council utilizes advisory bodies to hear testimony, consider needs and make recommendations to staff, other advisory bodies, and the City Council. In particular, the Parks and Recreation Commission (PRC), Traffic Commission (TC) and Historical Resources Committee (HRC) were established to act in an advisory capacity to the Council and the Directors of Parks and Recreation, Public Works, and Community Development and in some cases, the Architectural Review Committee and the Planning Commission.

At the time of the establishment of most of the advisory bodies, communication platforms available were rotary phones, typewriters, and the postal service, while today, the advancement in communication technology provides the opportunity for communication on multiple platforms (e-mail, texts, social media, website, blogs, public access channels, webstreaming, cell phones, etc.) In addition to the communication technology revolution, in the time since forming the various commissions, entire professions have been born, integrated into college curriculum, matured and added to City staff or provided through professional consultants such as Traffic Engineers, Planners, and Recreation professionals. Also in this time, many laws have been created by the Legislature or the Courts that requires active public input during the review of projects and actions that can have significant effects on the community. These factors together provide citizens immediate access to professional staff, the City Manager and the Council. While advisory bodies remain extremely valued and will be needed in the future for consideration of very specific issues and projects, the recently adopted budget offers both the necessity and opportunity to evaluate many business practices of the City, including the proposed disbandment of certain standing advisory bodies, in order to reduce expenses and increase efficiency, and most importantly, to provide more time to complete services in a timely and responsive manner.

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Although the issues and work considered by these advisory bodies will continue in terms of staff meetings with community members, consideration of alternatives and recommendations, and implementation of solutions, the staff hours saved are directly related to noticing, preparing staff reports, conducting the meetings, and preparing necessary minutes and follow up documents. While it is proposed that these advisory bodies be disbanded, the Council has the ability to appoint an Ad Hoc Committee should a special need or project arise for which the community would benefit from the formation and participation of a special committee.

Parks and Recreation Commission:

The PRC was created in 1964 by Ordinance No. 191. They meet on the second Wednesday each month in the Council Chambers. The Commission is intended to act in an advisory capacity to the Council and the Directors of Recreation Services and Public Works in all matters pertaining to parks and public recreation and to cooperate with other governmental agencies and civic groups in the advancement of sound park and recreation planning and programming. During this year, several meetings have been cancelled. In the previous five years, the Commission has met about 7-8 times each year. PRC activity has gone up and down over the years depending on what projects and issues arise in the community and that are referred for consideration by the Director of Recreation or Director of Public Works relating to items such as parks projects, recreation programs and facilities, tree appeals, the Dog Park and special events.

Although operating without a PRC would be a significant departure from the historic practice of the City, its functions may be adequately provided by the Directors of Recreation Services and Public Works, in conjunction with the Staff Advisory Committee (SAC) inclusive of all department heads when appropriate, for items such as programming and small projects including such items as park rules and shade structures; the City Manager for balancing resources and competing needs, the Planning Commission for projects associated with development projects, new park planning, or items such as placement of larger facilities; and the City Council regarding issues such as policy, appeals, and significant projects.

Traffic Commission:

The Traffic Commission (TC) was established by Ordinance 72 C.S. in 1972. The TC acts in an advisory capacity to the City Council in the review and development of traffic facilities, policies, and programs as related to the movement and parking of vehicles within the City; assists other commissions and committees in providing input to the planning and implementation process for traffic control for projects with traffic related impacts; and also acts in an advisory capacity to the Director of Community Development. In practice, the City Engineer will bring issues to the TC, and TC meetings are also attended by

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representatives from Public Works and the Police Department who provide information to the TC and may respond to Commissioner questions and provide technical information.

The disbandment of the TC is also a significant departure from the historical practice of the City as it was established in the early seventies and it has provided a significant venue for community members to air concerns related to traffic and parking over the years. It is anticipated that should the Council adopt the proposed Ordinance, that minor issues regarding parking, and issues such as red curbs and vision triangle compliance will be addressed through the SAC; parking concerns in the Village Improvement District will continue to be addressed through the Downtown Parking and Advisory Board; development related traffic and parking analysis will be considered through the Planning Commission; and policy matters and improvement projects would be referred to the City Council.

Historic Resources Committee:

The Historical Resources Committee (HRC) was created in 2005 by Ordinance No. 571 and has been amended twice since. Also included in Ordinance No. 571 was the establishment of a historical designation process. The stimulus to form the Ordinance beginning in 2003 was to find incentives for the preservation of historic resources in the City as increasing numbers of older structures were being demolished and replaced. The findings outlined in the Ordinance include the improvement of the local economy by attracting tourism and other businesses to the community, the fostering of community identity and pride, improvement of economic value of historic properties and neighborhoods, the enhancement of community aesthetics, interest and unique historic character.

Although the proposed Ordinance disbands the HRC, the whole of the historic designation process, as well as Mills Act provisions that provide for incentives to preserve historic properties, will remain in the Development Code within Title 16 of the AGMC. The administration will continue to be through the Community Development Department with oversight by the Planning Commission. The proposed Ordinance will transfer some of the obligations of the HRC as they related to historic preservation to the Planning Commission. The Planning Commission will follow the same guidelines for the review of potentially historic properties.

The HRC makes recommendations to the Architectural Review Committee, Planning Commission and/or Community Development Director. The HRC generally is scheduled to meet on the second Friday of each month; however, over the last two years, many meetings have been cancelled. The HRC was very active in its first several years with surveys and Village projects. However, the HRC has been hampered in their objective to

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designate properties due to the expertise it takes to ensure the proper criteria are met. It is likely that that work will continue on a project by project basis as potential applicants design projects. The focus on the HRC on historic designations was intended to ensure that they were completed in a proactive manner so potential applicants are not caught off-guard in a protracted process to develop properties. Although the HRC has not made continued progress on designations, there have been significant accomplishments provided by the Committee, including many surveys and particularly the Council adoption of Resolution No. 4512 of a Historic Context Statement encompassing twenty-five (25) properties in 2013. Additionally, also in 2013, the Council adopted Resolutions 4531 and 4432 adopting Mills Act requirements and a Historic Preservation Award Program.

Current undertakings for the HRC include additional survey preparations and the formal designation of the Tabernacle structure at Camp Arroyo Grande. The survey work will require future resources to hire historical architects who specialize in the work. The Tabernacle structure is currently being evaluated by such a professional and staff anticipates findings to be submitted in the next month. If the proposed Ordinance is adopted, recommendations from that survey or future project surveys will be taken to the Planning Commission to determine the historic designation.

The proposed Ordinance also includes a catch-all provision that states any duties assigned by the AGMC to be performed by the TC or HRC will be performed by the Community Development Director or referred by the Community Development Director to the Planning Commission or City Council and duties assigned to the PRC will be performed by the Director of Recreation Services or Director of Public Works or referred to the Planning Commission or City Council.

If the proposed Ordinance is adopted, there will be an additional clean-up Ordinance required in the future to remove references to the PRC, TC and HRC throughout the AGMC. However, these modifications are minor in nature and would not be substantial changes in procedure or policy.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Introduce the proposed Ordinance,
2. Modify and introduce the proposed Ordinance,
3. Do not introduce the proposed Ordinance, or
4. Provide direction to staff regarding other the inclusion of other advisory bodies such as the Architectural Review Committee or other direction.

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ADVANTAGES:

The advantages of disbanding the PRC, TC, and HRC include streamlining and simplifying city business related to parks and recreation, traffic and historic resources, as a result of the elimination of certain tasks required to staff these advisory bodies.

DISADVANTAGES:

The disadvantages to disbanding the PRC, TC, and HRC include the loss of additional opportunities for community comment, the potential loss of transparency, or facilitated community participation in decision making related to issues surrounding parks and recreation, traffic concerns and historic resources.

ENVIRONMENTAL REVIEW:

No environmental review is required for this item.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2. At the time of report publication, no comments have been received.

ORDINANCE NO.

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

THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapters 2.21, 2.24 and 2.32 of the Arroyo Grande Municipal Code are hereby repealed in their entirety.

SECTION 2. Section 1.04.140 of the Arroyo Grande Municipal Code is hereby added to read in its entirety as follows:

1.04.140 – Former Duties of Traffic Commission, Historical Resources Committee and Parks and Recreation Commission.

Any duties previously assigned by the Arroyo Grande Municipal Code to be performed by the Traffic Commission or Historical Resources Committee will be performed by the Community Development Director or referred by the Community Development Director to the Planning Commission or City Council and any duties assigned to the Parks and Recreation Commission will be performed by the Director of Recreation Services or Director of Public Works or referred by the Director of Recreation Services or Director of Public Works to the Planning Commission or City Council after the effective date of Ordinance No. _____ adopted on _____, 2018.

SECTION 3. Chapter 2.18 of the Arroyo Grande Municipal Code is hereby amended to add Sections 2.18.090 and 2.18.100 of the Arroyo Grande Municipal Code to read in their entirety as follows:

2.18.090 – Historic Designation.

The planning commission may nominate places, properties, structures or areas, which they recommend be considered for local, state or national historical designation or considered as an important setting or contributing to the historic character of the surrounding environment.

2.18.100 - Guiding purposes in reviewing projects and Historic Designations.

In reviewing potential designations, the planning commission shall be guided by the following purposes and intent:

- A. To ensure consistency with the general plan and compliance with the provisions of Title 16 of this code;

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- B. Promote the designation, preservation, restoration, safety and use of historic structures to enrich the lives of future generations, providing opportunities to enjoy and learn about the community's history;
- C. Improve the local economy by attracting tourism and other business to the community;
- D. Foster a sense of community identity and pride;
- E. Stabilize and improve the economic value of historic properties and neighborhoods;
- F. Enhance the community's aesthetics, interest, and unique historic character;
- G. Encourage and provide incentives to property owners to preserve and restore historic properties, and to sensitively rehabilitate them for adaptive re-use when necessary.

SECTION 4. This Ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

SECTION 5. A summary of this Ordinance shall be published in a newspaper published and circulated in the City of Arroyo Grande at least five (5) days prior to the City Council meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the City Clerk. Within fifteen (15) days after adoption of the Ordinance, the summary with the names of those City Council members voting for and against the Ordinance shall be published again, and the City Clerk shall post a certified copy of the full text of such adopted Ordinance. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

SECTION 6. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

SECTION 7. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

On motion by Council Member _____, seconded by Council Member _____, and by the following roll call vote to wit:

AYES:

NOES:

ABSENT:

the foregoing Ordinance was adopted this ____ day of _____, 2018.

JIM HILL, MAYOR

ATTEST:

KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:

JAMES A. BERGMAN, CITY MANAGER

APPROVED AS TO FORM:

HEATHER K. WHITHAM, CITY ATTORNEY

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