

ACTION MINUTES

SPECIAL AND REGULAR MEETINGS OF THE CITY COUNCIL TUESDAY, NOVEMBER 26, 2019 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

SPECIAL MEETING

CALL TO ORDER

Mayor Ray Russom called the Special City Council Meeting to order at 5:30 p.m.

ROLL CALL

Council Members Keith Storton, Jimmy Paulding, Lan George, Mayor Pro Tem Kristen Barneich, and Mayor Caren Ray Russom were present. City Manager Jim Bergman, City Attorney Tim Carmel, and Director of Legislative and Information Services/City Clerk Kelly Wetmore were also present.

FLAG SALUTE

Mayor Ray Russom led the Flag Salute.

PUBLIC COMMENT ON CLOSED SESSION ITEMS

None.

CLOSED SESSION

The City Council recessed to a closed session for the following item:

- a) Public Employee Performance Evaluation pursuant to Government Code Section 54957:
Title: City Attorney

RECONVENE

The City Council reconvened to open session at 6:00 p.m. in conjunction with the City Council Regular Meeting. Announcements of any reportable action were made under Item 5.

REGULAR MEETING

1. CALL TO ORDER

Mayor Ray Russom called the Regular City Council Meeting to order at 6:00 p.m.

2. ROLL CALL

City Council: Council Members Keith Storton, Jimmy Paulding, Lan George, Mayor Pro Tem Kristen Barneich, and Mayor Caren Ray Russom were present.

Staff Present: City Manager Jim Bergman, City Attorney Tim Carmel, Director of Legislative and Information Services/City Clerk Kelly Wetmore, Director of Public Works Bill Robeson, Police Chief Beau Pryor, Interim Director of Administrative Services Nicole Valentine, and City Engineer Robin Dickerson.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Shannon Dempsey, representing Arroyo Grande Rotary Club, led the Flag Salute.

5. AGENDA REVIEW

5.a. Closed Session Announcements.

Special City Council Meeting of November 26, 2019:

- a) Public Employee Performance Evaluation pursuant to Government Code Section 54957:
Title: City Attorney

City Attorney Carmel announced that the City Council met in closed session at 5:30 p.m. to discuss performance expectations of the City Attorney and stated that no reportable action was taken.

5.b. Ordinances Read in Title Only.

Mayor Pro Tem Barneich moved, Council Member Storton 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

None.

7. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Ray Russom invited public comment. Speaking from the public was Linda Osty, who offered an invocation and then announced that the Rotary Club of Pismo Beach - 5 Cities would be hosting the 7th Annual Christmas movie on Saturday, December 14th from 9:45 am to 12:45 pm at the Fair Oaks Theatre. No further public comments were received.

8. CONSENT AGENDA

Mayor Ray Russom asked the Council if they had any questions or would like to pull any items for further discussion.

In response to a question by Mayor Ray Russom regarding Item 8.a. (Cash Disbursements) as it relates to payroll expenses being higher than normal, Interim Director of Administrative Services explained that during this period, the Five Cities Fire Authority strike team responded to the recent wildfires which resulted in an additional \$32,000 in overtime costs, and that the City will be reimbursed for those costs in three to four months. Mayor Pro Tem Barneich suggested that a notation be included in future reports when the reimbursement is received.

In response to a question by Mayor Ray Russom regarding Item 8.d. (Consideration of a Resolution to Ratify the Appointment of Carolyn Galloway-Cooper as Interim Director of Administrative Services), City Attorney Carmel explained that the agreement meets all of the requirements for temporarily employing a CalPERS retiree.

Council Member George referred to Item 8.f. (Monthly Water Supply and Demand Update) and commented that from August 2018 to August 2019 the per capita water usage has increased and

she urged the public to continue to conserve water even during the rainy season. Mayor Ray Russom also suggested checking irrigation timers ahead of the storm.

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

Action: Council Member Storton moved, and Mayor Pro Tem Barneich seconded the motion to approve Consent Agenda Items 8.a. through 8.f., with the recommended courses of action. The motion passed on the following roll-call vote:

AYES: Storton, Barneich, Paulding, George, Ray Russom
NOES: None
ABSENT: None

8.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period November 1, 2019 through November 15, 2019.

8.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, 2019, as required by Government Code Section 53646(b).

8.c. Consideration of Approval of Minutes.

Action: Approved the minutes of the Regular and Special City Council Meetings of November 12, 2019, as submitted.

8.d. Consideration of a Resolution to Ratify the Appointment of Carolyn Galloway-Cooper as Interim Director of Administrative Services.

Action: Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE TO RATIFY THE APPOINTMENT OF CAROLYN GALLOWAY-COOPER AS INTERIM DIRECTOR OF ADMINISTRATIVE SERVICES”.***

8.e. Consideration of the Summary Vacation of a Portion of a Public Utility Easement Located at 1271 James Way.

Action: Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE SUMMARILY VACATING A PORTION OF PUBLIC UTILITY, EASEMENT AT 1271 JAMES WAY”.***

8.f. Monthly Water Supply and Demand Update.

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

9. PUBLIC HEARINGS

None.

10. OLD BUSINESS

10.a. Consideration of Introduction of an Ordinance Prohibiting the Sale and Distribution of Electronic Cigarettes and Vaping Products that Require, but Have Not Received a Food and Drug Administration Order Approving Their Marketing and an Ordinance Prohibiting the Possession of all Tobacco Products and Paraphernalia by Persons Under Twenty-One.

City Attorney Carmel presented the staff report and recommended that the Council consider adopting an ordinance prohibiting the sale and distribution of electronic cigarettes and vaping products and an ordinance prohibiting the possession of all tobacco products and paraphernalia by persons under twenty-one. Staff responded to questions from Council.

Brief comments ensued regarding methods of implementation and enforcement and directing a one-year look back provision to review citation statistics.

Mayor Ray Russom invited public comment. No public comments were received.

Action: Mayor Ray Russom moved to adopt an Ordinance entitled: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING CHAPTER 8.36 OF THE ARROYO GRANDE MUNICIPAL CODE TO PROHIBIT THE SALE AND DISTRIBUTION TO ANY PERSON IN ARROYO GRANDE ELECTRONIC CIGARETTES AND VAPING PRODUCTS THAT REQUIRE, BUT HAVE NOT RECEIVED, A FOOD AND DRUG ADMINISTRATION ORDER APPROVING THEIR MARKETING”***. Council Member George seconded, and the motion passed on following roll call vote:

AYES: Ray Russom, George, Paulding, Storton, Barneich
NOES: None
ABSENT: None

Action: Mayor Ray Russom moved to adopt an Ordinance entitled: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADDING SECTION 8.36.060 TO CHAPTER 8.36 OF TITLE 8 OF THE ARROYO GRANDE MUNICIPAL CODE RELATING TO POSSESSION OF TOBACCO PRODUCTS BY PERSONS UNDER TWENTY-ONE”***, with a one-year look back to occur sometime in November or December 2020. Council Member George seconded, and the motion passed on the following roll call vote:

AYES: Ray Russom, George, Paulding, Storton, Barneich
NOES: None
ABSENT: None

10.b. Consideration of Introduction of an Ordinance Modifying Council Member Salary, effective December 2020.

City Manager Bergman presented the staff report and recommended that the Council consider introduction of an Ordinance amending Section 2.04.090 of Chapter 2.04 of Title 2 of the Arroyo Grande Municipal Code relating to City Council compensation.

Mayor Ray Russom invited public comment. Speaking from the public were: Coleen Kubel, who acknowledged comments from the last meeting to postpone the increase until 2022, expressed concern about comments that were made by Council Members that appeared disparaging to citizens and how they were perceived by the public, and asked the Council to reconsider implementing the increase in 2022; and Patricia Price, stated that she is not supportive of the increase right now, acknowledged the budget is balanced due to budget and staffing cuts and

increased fees, referred to upcoming projects that will be expensive, CalPERS costs, insurance costs, and costs for the Five Cities Fire Authority. No further public comments were received.

Council comments and discussion ensued regarding the timing of the increase due to other budget priorities. Council Members Storton and George expressed they could support an increase if it were to become effective in December 2022 which would coincide with the change to District Elections.

Action: Council Member Storton moved to introduce an Ordinance as proposed regarding the monthly amounts for council members and the mayor, with an effective date of 2022. City Attorney Carmel clarified that the modifications to the Ordinance would be in Municipal Code Sections 2.04.040.B. and 2.04.040.D. changing the effective date to December 1, 2022. Mayor Pro Tem Barneich seconded the motion. City Attorney Carmel read the full title of the Ordinance, as follows: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING SECTION 2.04.040 OF CHAPTER 2.04 OF TITLE 2 OF THE ARROYO GRANDE MUNICIPAL CODE RELATING TO CITY COUNCIL COMPENSATION”***. The motion passed on following roll call vote:

AYES: Storton, Barneich, George, Ray Russom
NOES: Paulding
ABSENT: None

11. NEW BUSINESS

None.

12. CITY COUNCIL REPORTS

The City Council provided brief reports from the following committee, commission, board, or other subcommittee meetings that they attended as the City’s appointed representative.

(a) MAYOR RAY RUSSOM:

- (1)** California Joint Powers Insurance Authority (CJPIA)
- (2)** South San Luis Obispo County Sanitation District (SSLOCSD)
- (3)** Tourism Business Improvement District Advisory Board

(b) MAYOR PRO TEM BARNEICH:

- (1)** Homeless Services Oversight Council (HSOC)
- (2)** South County Homeless Taskforce
- (3)** Zone 3 Water Advisory Board

(c) COUNCIL MEMBER PAULDING:

- (1)** Air Pollution Control District (APCD)
- (2)** Brisco/Halcyon Interchange Subcommittee
- (3)** Council of Governments/Regional Transit Authority (SLOCOG/SLORTA)
- (4)** South County Transit (SCT)

(d) COUNCIL MEMBER STORTON:

- (1)** Brisco/Halcyon Interchange Subcommittee
- (2)** Five Cities Fire Authority (FCFA)
- (3)** Integrated Waste Management Authority Board (IWMA)
- (4)** South County Chambers of Commerce Governmental Affairs Committee

(e) COUNCIL MEMBER GEORGE:

- (1)** Community Action Partnership San Luis Obispo (CAPSLO)
- (2)** County Water Resources Advisory Committee (WRAC)
- (3)** Regional Water Initiatives
- (4)** Visit SLO CAL Advisory Board

13. COUNCIL COMMUNICATIONS

Mayor Pro Tem Barneich announced that the Five Cities Coalition warming shelter is being activated tonight and would be open over the next few days and that they are seeking volunteers to work at the shelter. She also read a letter the Council received from a citizen thanking the Fire Department and staff for their assistance during a medical aid call.

Council Member George commented on the Cave Fire in Santa Barbara and how a member of the community had assisted fire personnel with a map identifying fire hydrants in the neighborhood which was instrumental in saving all the homes. She also spoke about Sisters Giving Back, a group she is personally involved with, and stated that they will be providing Christmas gifts to thirty families this year.

Mayor Ray Russom reminded the community of the 5 Cities Rotary free movie night on December 14th at the Fair Oaks Theater; reminded the community to turn off irrigation meters this week; referred members of the community to the Friends of Five Cities Fire Authority website for information on the "Get Ready Five Cities" initiative regarding disaster preparedness and public safety power outages; and expressed gratitude to the City for allowing her to serve as Mayor and stated it has been challenging, but rewarding and she thanked the community for allowing her and the Council the opportunity to serve.

Council Member Storton referred to the Thanksgiving holiday this week, thanked his colleagues and the people who showed up to the meeting tonight, hoped that everyone has a good time with their families this week, and announced the Village Christmas Parade on Sunday at 5:00 p.m.

Mayor Ray Russom also announced that the following Sunday is the Elegant Christmas in the Village event and encouraged the community to shop local.

13. CLOSED SESSION

None.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 7:15 p.m.

Caren Ray Russom, Mayor

ATTEST:

Kelly Wetmore, City Clerk

(Approved at CC Mtg _____)

THIS PAGE INTENTIONALLY LEFT BLANK