

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, JANUARY 28, 2020 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

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 Lan George, Jimmy Paulding, Kristen Barneich, Mayor Pro Tem Keith Storton, 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, Recreation Services Director Sheridan Bohlken, Police Chief Beau Pryor, and Accounting Manager Nicole Valentine.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Anne McCracken, representing Arroyo Grande Valley Kiwanis Club, led the Flag Salute.

5. AGENDA REVIEW

In response to a request by Council Member Paulding that the Council consider reordering the agenda to hear Item 11.b. before or after Items 11.a. and 11.c., Mayor Ray Russom suggested, and the Council concurred, that Item 11.b. be heard first since information regarding the Central Coast Blue Project is relevant to discussions regarding strategic concepts and the findings of the survey.

5.a. Closed Session Announcements.

None.

5.b. Ordinances Read in Title Only.

Council Member Barneich moved, Mayor Pro Tem 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 were Linda Osty, who offered an invocation; Lisa Frasier, regarding the We are the Care Initiative; Mark Schaeffer, regarding Ride-On transportation services; and Linda Busick, regarding the January 12th Five Cities Repair Café event. No further public comments were received.

8. CONSENT AGENDA

Mayor Ray Russom and members of the City Council asked questions of staff and commented on Items 8.c., 8.f., 8.g., and 8.j. Items 8.c., 8.g., and 8.j. were pulled for separate consideration.

Mayor Ray Russom invited public comment on the consent agenda items. Speaking from the public were: Jim Guthrie, regarding Item 8.f.; and Chuck Fellows, regarding Item 8.g.

Action: Mayor Ray Russom moved, and Council Member Barneich seconded the motion to approve Consent Agenda Items 8.a. through 8.n., with the exception of Items 8.c., 8.g., and 8.j., with the recommended courses of action. The motion passed on the following roll-call vote:

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

8.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period January 1, 2020 through January 15, 2020.

8.b. Consideration of Statement of Investment Deposits.

Action: Received and filed the attached report listing of investment deposits of the City of Arroyo Grande, as of December 31, 2019 as required by Government Code Section 53646(b).

8.d. Consideration of Adjustment of Sewer Connection Fees Based on Changes in the Engineering News Record Construction Cost Index.

Action: Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADJUSTING SEWER CONNECTION FEES BASED BY THE CHANGES IN THE ENGINEERING NEW RECORD CONSTRUCTION COST INDEX”***.

8.e. Consideration of Approval of Minutes.

Action: Approved the minutes of the Regular City Council/Successor Agency Meeting of January 14, 2020, and the Special City Council Meeting of January 21, 2020, as submitted.

8.f. Consideration of Agreement to Exercise Second Option to Extend Lease for Gina’s Restaurant Outdoor Dining Area.

Action: Approved and authorized the Mayor to execute the Agreement to Exercise Second Option to Extend Lease for Gina’s Restaurant outdoor dining area.

8.h. Consideration of a Resolution Accepting Public Improvements and Easements for the Medical Office Building Located at 850 Fair Oaks Avenue.

Action: Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ACCEPTING IMPROVEMENTS AND EASEMENTS FOR THE MEDICAL OFFICE BUILDING LOCATED AT 850 FAIR OAKS AVENUE”***.

8.i. Consideration of a Resolution Accepting an Easement for Emergency Access at 995 East Grand Avenue.

Action: Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ACCEPTING AN EASEMENT FOR EMERGENCY ACCESS FOR CONDITIONAL USE PERMIT 18-005, LOCATED AT 995 E. GRAND AVENUE”***.

- 8.k. **Consideration of an Agreement for Contractor Services with Brendler Janitorial Services for the Police Station and the Recreation Building.**
Action: Approved an Agreement for Contractor Services with Brendler Janitorial Services for the Police Station and the Recreation Building.
- 8.l. **Calendar Year 2019 Water Supply and Demand Update.**
Action: Received and filed the Calendar Year 2019 Water Supply and Demand Report.
- 8.m. **Consideration of Adoption of a Resolution Pursuant to Public Contract Code Section 22050 Finding a Determination to Continue Work Under Emergency Contracts for the Oak Park Boulevard and El Camino Real Emergency Storm Drain System Repair Project, PW 2020-04.**
Action: 1) Received and filed an update of emergency storm drain system repairs on Oak Park Boulevard and El Camino Real; and 2) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DETERMINING A NEED TO CONTINUE EMERGENCY UNDER EMERGENCY CONTRACTS TO REPAIR THE STORM DRAIN SYSTEM ON OAK PARK BOULEVARD AND EL CAMINO REAL"***.
- 8.n. **Consideration of a Contract for Consultant Services with Filippin Engineering, Inc. to Include Construction Management, Resident Engineer, Inspection, Materials Testing, and Environmental Services for the Bridge Street Bridge Rehabilitation Project, PW 2020-01.**
Action: Approved and authorized the Mayor to execute a final Contract for Consultant Services, subject to the form being approved by the City Attorney, with Filippin Engineering, Inc. in the amount of \$579,339 for construction management, resident engineer, inspection, material testing, and environmental monitoring services for the Bridge Street Bridge Rehabilitation Project.

ITEMS PULLED FROM CONSENT AGENDA

- 8.c. **Consideration of Annual Adjustment of Development Impact Fees.**
Recommended Action: Adopt a Resolution Adjusting Development Impact Fees By The Change In The Engineering News Record Construction Cost Index.

In response to a question by Mayor Ray Russom regarding how much money in development impact fees the City has received in the low income and very low income categories, staff explained that the recent annual report did not provide a break-down of the fees by category. As a result, Mayor Ray Russom requested this item be continued in order for staff to provide the information.

Action: Mayor Ray Russom moved, and Council Member George seconded the motion to continue consideration of this item to the City Council meeting of February 11, 2020. The motion passed unanimously by voice vote.

- 8.g. **Consideration of Plot Plan Review 19-020; Relocation of a Historic Tank House and Addition of Permanent Restroom Facilities; Location – 126 S. Mason Street; Applicant – South County Historical Society; Representative – Chuck Fellows.**
Recommended Action: Adopt a Resolution approving Plot Plan Review 19-020.

Council Member Storton and Mayor Ray Russom acknowledged the work of the South County Historical Society on this historic preservation project.

Action: Mayor Ray Russom moved, and Council Member George seconded the motion to adopt a Resolution, as follows: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING PLOT PLAN REVIEW 19-020 AUTHORIZING THE RELOCATION OF A HISTORIC TANK HOUSE TO HERITAGE SQUARE PARK; APPLIED FOR BY CHUCK FELLOWS, SOUTH COUNTY HISTORICAL SOCIETY”***. The motion passed on the following roll-call vote:

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

8.j. Consideration of Residential Lease for 202 East Le Point Street.

Recommended Action: Approve and authorize the City Manager to execute a residential lease between the City of Arroyo Grande as the Landlord and Jenna Simmons and Chad Jackson as the Tenants for the house located at 202 East Le Point Street.

Mayor Ray Russom commented that the rent is under market and stated that she believes there should be a fair market analysis done on the property.

Action: Council Member Barneich moved, and Council Member George seconded the motion to approve and authorize the City Manager to execute a residential lease between the City of Arroyo Grande as the Landlord and Jenna Simmons and Chad Jackson as the Tenants for the house located at 202 East Le Point Street. The motion passed on the following roll-call vote:

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

9. PUBLIC HEARINGS

None.

10. OLD BUSINESS

None.

11. NEW BUSINESS

The next agenda item was heard out of order.

11.b. Review of Central Coast Blue Draft Memorandum of Agreement Framework.

City Manager Bergman presented the staff report and recommended the Council review the draft Memorandum of Agreement (MOA) cost-sharing framework for Central Coast Blue and provide input to staff regarding next steps. Staff, Dan Heiml from Water Systems Consulting, and Ben Fine, Pismo Beach Public Works Director, responded to questions from Council.

Mayor Ray Russom invited public comment. Speaking from the public about the Central Coast Blue project were: Cynthia Replogle (submitted letter for record); Jim Guthrie; Julie Tacker; and Brad Snook (submitted letter for record).

Council comments ensued in support of the project in concept; that a recycled water project is needed; that additional technical presentations and data are needed; the cost of the project is expensive; grant funds would make the project more palatable; the MOA should include a provision concerning legal costs; that regional collaboration is key; that the injection wells should be placed in the best location regardless of jurisdiction; and that a workshop on the Central Coast Blue project with the other agencies should be held before consideration of the water rate study. Additional suggestions from Mayor Ray Russom regarding the draft MOA included: Section 3.a.ii. - should be more specific to address outfall; Section 4.e. – would like more specificity regarding Natural Yield; Section 6.a. - specify how unit cost is determined; Section 7.f. - stipulate that the costs will be shared proportionately; that a biannual or some sort of review period should be built in to the agreement; that a MOA is preferable over a JPA; and that the MOA should include a mechanism that all contracts come to the Council.

No formal action was taken on this item.

Mayor Ray Russom called for a break at 9:45 p.m. The Council reconvened at 9:52 p.m.

11.a. Presentation and Discussion of Strategic Concepts.

City Manager Bergman presented the staff report and recommended that the Council receive and discuss strategic concepts developed by staff.

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

Council comments ensued in support of the strategic concepts and forming an ad-hoc committee of the City Council to assist with refining the strategic concepts into a strategic plan, with actionable items.

At 11:00 p.m., Mayor Ray Russom noted that pursuant to Council policy, the Council must vote unanimously to continue the meeting.

Action: Council Member Paulding moved to continue the meeting to 11:45 p.m. Council Member George seconded, and the motion passed unanimously by voice vote.

City Manager Bergman noted Council's comments and stated he would bring back information on the next Agenda regarding formation of an ad-hoc committee.

No formal action was taken on this item.

11.c. Discussion of Results of a Voter Opinion Survey for a Potential Future Ballot Measure.

City Manager Bergman provided introductory comments and introduced Timothy McLarney, True North Research, who provided a presentation on the Revenue Measure Feasibility Study. Staff responded to questions from Council.

Action: At 11:45 p.m., Council Member Barneich moved to continue the meeting to 12:15 a.m. Council Member George seconded, and the motion passed unanimously by voice vote.

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

No formal action was taken. The survey was received and filed.

12. CITY COUNCIL REPORTS

This item was postponed until the next meeting.

13. CITY COUNCIL MEMBER ITEMS

- a) **Consideration of a Request by Mayor Ray Russom to Send a Letter Opposing (Unless Amended) Senate Bill 50 (Planning and Zoning: Housing Development Incentives).**

Mayor Ray Russom requested the Council send a letter opposing, unless amended, Senate Bill 50.

Action: Council Member Barneich moved to send a letter opposing Senate Bill 50, unless amended. Council Member George seconded, and the motion passed unanimously by voice vote.

14. COUNCIL COMMUNICATIONS

None.

13. CLOSED SESSION

None.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 12:15 a.m. in honor of Kobe Bryant, his daughter, and the other seven people that were killed in the helicopter crash.

Caren Ray Russom, Mayor

ATTEST:

Kelly Wetmore, City Clerk

(Approved at CC Mtg _____)

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, FEBRUARY 11, 2020 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

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

Staff Present: City Manager Jim Bergman, City Attorney Timothy Carmel, Deputy City Clerk Jessica Matson, Chief of Police Beau Pryor, Director of Public Works Bill Robeson, Community Development Director Whitney McDonald, and City Engineer Robin Dickerson.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Mayor Ray Russom led the Flag Salute.

5. AGENDA REVIEW

5.a. Closed Session Announcements.

None.

5.b. Ordinances Read in Title Only.

Council Member Barneich moved, Mayor Pro Tem 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

6.a. Introduction of New Employee – Whitney McDonald, Director of Community Development.

City Manager Bergman introduced Whitney McDonald as the new Director of Community Development and highlighted her educational and professional background.

7. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Ray Russom invited public comment. Speaking from the public was Linda Osty, who offered an invocation.

8. CONSENT AGENDA

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

Mayor Ray Russom referred to Item 8.b. (Consideration of Annual Adjustment of Development Impact Fees) regarding low income development impact fees and City Manager Bergman provided a brief background on the tiered rate for low-medium income housing developments.

Mayor Ray Russom invited public comments on the Consent Agenda. No public comments were received.

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

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

8.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period January 16, 2020 through January 31, 2020.

8.b. Consideration of Annual Adjustment of Development Impact Fees.

Action: Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADJUSTING DEVELOPMENT IMPACT FEES BY THE CHANGE IN THE ENGINEERING NEWS RECORD CONSTRUCTION COST INDEX"***.

8.c. Consideration of Updates to the Jim Guthrie Community Service Grant Program Committee Criteria.

Action: Approved an update to the Jim Guthrie Community Service Grant Committee criteria.

9. PUBLIC HEARINGS

None.

10. OLD BUSINESS:

10.a. Consideration of Adoption of a Resolution Pursuant to Public Contract Code Section 22050 Finding a Determination to Continue Work Under Emergency Contracts for the Oak Park Boulevard and El Camino Real Emergency Storm Drain System Repair Project, PW 2020-04.

Public Works Director Robeson presented an update and next steps in the project and recommended that the Council: 1) Receive and file an update of emergency storm drain system repairs on Oak Park Boulevard at El Camino Real; and 2) Adopt a Resolution that there is a need to continue the emergency action for the storm drain system repairs in accordance with Public Contract Code Section 22050, and responded to brief questions from Council.

Mayor Ray Russom invited public comments. Speaking from the public was Ron Riley, Garing Taylor and Associates, commented regarding the culvert and possible problems with future flooding and requested to meet with staff. No further public comments were received.

Action: Council Member George moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DETERMINING A NEED TO CONTINUE WORK UNDER EMERGENCY CONTRACTS TO REPAIR THE STORM DRAIN SYSTEM ON OAK PARK BOULEVARD AND EL CAMINO REAL”**. Council Member Barneich seconded, and the motion passed on following roll call vote:

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

11. NEW BUSINESS

11.a. Consideration of Introduction of an Ordinance Repealing the City’s Expanded Polystyrene Ordinance and Adopting by Reference the Integrated Waste Management Authority’s Ordinance Regulating Polystyrene and Expanded Polystyrene Food Containers and Products and Schedule a Public Hearing to Consider its Adoption.

City Manager Bergman presented the staff report and recommended that the Council introduce an ordinance repealing the City's polystyrene ordinance and adopting the IWMA's polystyrene ordinance by reference and schedule a Public Hearing for the March 10, 2020 City Council meeting to consider its adoption. Mr. Bergman responded to brief questions from the Council.

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

City Attorney Carmel read the full title of the Ordinance, as follows: **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE REPEALING AND REPLACING CHAPTER 8.34 OF THE ARROYO GRANDE MUNICIPAL CODE RELATING TO EXPANDED POLYSTYRENE AND ADOPTING BY REFERENCE ORDINANCE NO. 2019-1 OF THE SAN LUIS OBISPO COUNTY INTEGRATED WASTE MANAGEMENT AUTHORITY REGULATING POLYSTYRENE AND EXPANDED POLYSTYRENE (EPS) FOOD CONTAINERS AND PRODUCTS”**.

Action: Council Member Barneich moved to introduce the Ordinance as read in title by City Attorney Carmel. Council Member George seconded, and the motion passed on following roll call vote:

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

Action: Council Member Barneich moved to schedule a Public Hearing for the March 10, 2020 City Council meeting to consider its adoption. Mayor Pro Tem Storton seconded, and the motion passed on following roll call vote:

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

11.b. Consideration of Establishing a City Council Ad Hoc Committee Related to Strategic Concepts

City Manager Bergman presented the staff report and recommended that the Council: 1) Review background information about the use of ad hoc committees; 2) Establish the specific purpose, timeframe and make up of a desired ad hoc committee; and 3) If desired, select members of the City Council to serve on the ad hoc committee.

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

Action: Council Member Paulding moved to approve an ad hoc committee consisting of Council Members Paulding and George to refine the strategic plan and include measurements, consider uses for SB1090 mitigation funds, and consider options for community outreach, to be presented back to Council and have a 30 day lifespan. Council Member Barneich seconded, and the motion passed on following roll call vote:

AYES: Paulding, Barneich, George, Storton, Ray Russom
NOES: None
ABSENT: 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
 - (4) Other: Monthly Mayor's Meeting

- (b) **MAYOR PRO TEM 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

- (c) **COUNCIL MEMBER BARNEICH:**
 - (1) Homeless Services Oversight Council (HSOC)
 - (2) South County Homeless Taskforce
 - (3) Zone 3 Water Advisory Board

- (d) **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)

- (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

Council Member Barneich thanked Marcy Betita for her efforts over the year cleaning up tree wells and announced that the We Heart AG community volunteer event will be on April 19th from 8 am – 12 pm.

Council Member Barneich requested that staff bring back an item for Council consideration regarding a study session on the East Grand Avenue Master Plan. Council Member Paulding and Mayor Ray Russom concurred.

Council Member George stated that the Harvest Festival Committee has a new Chair and needs more Committee volunteers.

Mayor Pro Tem Storton stated that he will be speaking on behalf of the Mayor at the Pismo Beach Chamber of Commerce Mayors forum.

14. CLOSED SESSION

At 7:08 p.m., City Attorney Carmel announced the Council would adjourn to closed session to consider the following item:

- a) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Appeal of CalPERS determination dated January 26, 2017, (CalPERS Ref No: 2017-0305)

Mayor Ray Russom invited public comment on the closed session item, and upon hearing no comments, she closed the public comment period.

Adjourned to Closed Session.

15. RECONVENE TO OPEN SESSION

At 7:34 p.m., the meeting was reconvened to open session. City Attorney Carmel reported that the Council discussed existing litigation and that there was no reportable action.

16. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 7:35 p.m.

Caren Ray Russom, Mayor

ATTEST:

Jessica Matson, Deputy City Clerk

(Approved at CC Mtg _____)