



AGENDA SUMMARY
CITY COUNCIL/SUCCESSOR AGENCY TO THE DISSOLVED
ARROYO GRANDE REDEVELOPMENT AGENCY MEETING
TUESDAY, FEBRUARY 14, 2017
6:00 P.M.
ARROYO GRANDE CITY COUNCIL CHAMBERS
215 E. BRANCH STREET, ARROYO GRANDE

1. CALL TO ORDER

2. ROLL CALL

3. MOMENT OF REFLECTION

4. FLAG SALUTE:

Girl Scout Troop 41049

5. AGENDA REVIEW:

5.a. Closed Session Announcements

The Mayor or City Attorney will announce reportable actions taken, if any, from the following meetings:

Regular Meeting of January 24, 2017

a) Conference with Legal Counsel - Anticipated Litigation - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:

One (1) potential case

Special Meeting of February 14, 2017

a) Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2): One Case

Allegations of violations of the Brown Act

5.b. Move that all ordinances presented for introduction or adoption be read in title only and all further readings be waived

6. SPECIAL PRESENTATIONS:

None.

7. COMMUNITY COMMENTS AND SUGGESTIONS:

This public comment period is an invitation to members of the community to present issues, thought, or suggestions on matters not scheduled on this agenda. Comments should be limited to those matters that are within the jurisdiction of the City Council. The Brown Act restricts the Council from taking formal action on matters not published on the agenda. In response to your comments, the Mayor or presiding Council Member may:

- Direct City staff to assist or coordinate with you.
- A Council Member may state a desire to meet with you.
- It may be the desire of the Council to place your issue or matter on a future Council agenda.

Please adhere to the following procedures when addressing the Council:

- Comments should be limited to 3 minutes or less.
- Your comments should be directed to the Council as a whole and not direct to individual Council member
- Slanderous, profane or personal remarks against any Council Member or member of the audience shall not be permitted.

8. INTERIM CITY MANAGER REPORT:

Correspondence/Comments as presented by the Interim City Manager.

9. CONSENT AGENDA:

The following routine items listed below are scheduled for consideration as a group. The recommendations for each item are noted. Any member of the public who wishes to comment on any Consent Agenda item may do so at this time. Any Council Member may request that any item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action. The City Council may approve the remainder of the Consent Agenda on one motion.

9.a. Consideration Of Cash Disbursement Ratification

Recommended Action: Ratify the listing of cash disbursements for the period January 16, 2017 through January 31, 2017.

Documents:

[CC 2017-02-14_09a Cash Disbursements.pdf](#)

9.b. Consideration Of Statement Of Investment Deposits

Recommended Action: Receive and file the report listing of investment deposits of the City of Arroyo Grande, as of October 31, 2016, November 30, 2016 and December 31, 2016, as required by Government Code Section 53646(b).

Documents:

[CC 2017-02-14_09b Investment Deposits.pdf](#)

9.c. Consideration Of A Residential Lease For 202 East Le Point Street

Recommended Action: Approve and authorize the Mayor to execute a Residential Lease between the City of Arroyo Grande as the Landlord and Jena Simmons and Chad Jackson as the Tenants for the house located at 202 East Le Point Street.

Documents:

[CC 2017-02-14_09c Residential Lease for 202 E Le Point.pdf](#)

9.d. Deferral Of Two-Year Budget Plan To Begin In Fiscal Year 2018/19 And Continuing With A One-Year Budget For Fiscal Year 2017-18

Recommended Action: Approve deferring the next two-year budget plan to start in Fiscal Year 2018/19, and continuing with a one-year budget for Fiscal Year 2017/18.

Documents:

[CC 2017-02-14_09d Deferral of 2 Year Budget Plan.pdf](#)

9.e. Consideration Of Memorandum Of Agreement With The County Of San Luis Obispo To Jointly Finance And Construct A Replacement Animal Services Shelter

Recommended Action: Approve and authorize the Mayor to execute a Memorandum of Agreement ("MOA") in substantial conformance with the County of San Luis Obispo, and the Cities of Atascadero, Grover Beach, Morro Bay, Pismo Beach, Paso

Robles and San Luis Obispo to jointly finance and construct the replacement of an animal services shelter.

Documents:

[CC 2017-02-14_09e MOA for Animal Services Shelter.pdf](#)

- 9.f. **Consideration Of Temporary Use Permit No. 16-028; Authorization To Use City Property For A Beer And Food Festival On Saturday, October 14, 2017; Location – Heritage Square Park; Applicant – Arroyo Grande Village Improvement Association; Representative – Bob Lund**

Recommended Action: Adopt a Resolution authorizing the use of City property for a beer and food festival on Saturday, October 14, 2017.

Documents:

[CC 2017-02-14_09f TUP Beer and Food Festival.pdf](#)

- 9.g. **Consideration Of Acceptance Of The 2016 Street Resurfacing Project, PW 2016-08**

Recommended Action: 1) Accept the project improvements as constructed by American Asphalt South, Inc., in accordance with the plans and specifications for the 2016 Street Resurfacing Project; 2) Direct staff to file a Notice of Completion; and 3) Authorize release of retention, thirty-five (35) days after the Notice of Completion has been recorded, if no liens have been filed.

Documents:

[CC 2017-02-14_09g Accept 2016 Street Resurfacing.pdf](#)

- 9.h. **Consideration Of A Resolution Approving An Application By Terry Chandler To Drill And Install A Replacement Well On Property Zoned Agriculture; APN 007-731-015; 980 East Cherry Avenue**

Recommended Action: Adopt a Resolution approving the application by Terry Chandler to drill and install a replacement irrigation well on property zoned agriculture; APN 007-731-015; 980 East Cherry Avenue.

Documents:

[CC 2017-02-14_09h Replacement Irrigation Well at 980 E Cherry Ave.pdf](#)

- 9.i. **Consideration To Approve An Agreement For Contractor Services With Apodaca Paving For The Corporation Yard Stormwater Improvements Project, PW 2016-14**

Recommended Action: 1) Approve the construction plans and specifications for the Corporation Yard Stormwater Improvements Project, PW 2016-14; 2) Find that the project is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15301(c); 3) Direct the City Clerk to file a Notice of Exemption; 4) Transfer \$10,865 from the Public Works Administration Operating Fund to the Corporation Yard Stormwater Improvements Project, PW 2016-014; 5) Approve an Agreement for Contractor Services with Apodaca Paving in the amount of \$26,449.60; 6) Authorize the Interim City Manager to approve change orders up to 10% of the contract amount in the amount of \$2,644.96 for additional work and/or unanticipated costs during construction; and 7) Authorize the Mayor to execute the Agreement for Contractor Services.

Documents:

[CC 2017-02-14_09i Agreement_Corp Yard Stormwater Improvements.pdf](#)

9.j. **Consideration To Approve An Agreement For Consultant Services With Harris Architecture & Design For The Woman’s Club Building ADA Improvements Project, PW 2016-10 And Kitchen Renovation Project, PW 2016-01**

Recommended Action: 1) Approve an Agreement for Consultant Services with Harris Architecture & Design in the amount of \$40,000 for design services for the Woman’s Club Building ADA Improvements and Kitchen Renovation Projects; 2) Authorize the Mayor to execute the Agreement for Consultant Services; and 3) Appropriate \$124,051 from the Park Development Fund balance for the Woman’s Club Kitchen Renovation Project.

Documents:

[CC 2017-02-14_09j Agreement_Womans Club Project.pdf](#)

9.k. **Consideration Of Adoption Of An Ordinance Amending Chapter 13.07 Of The Arroyo Grande Municipal Code Relating To Stages Of Water Shortage Emergencies To Implement Emergency Water Shortage Restrictions And Regulations**

Recommended Action: Adopt an Ordinance amending Chapter 13.07 of the Arroyo Grande Municipal Code relating to stages of water shortage emergencies to implement emergency water shortage restrictions and regulations.

Documents:

[CC 2017-02-14_09k Adopt Ord Water Shortage Emergency Regs.pdf](#)

10. PUBLIC HEARINGS:

None.

11. OLD BUSINESS:

None.

12. NEW BUSINESS:

12.a. **Consideration Of Adoption Of The 2016 Update To The Pavement Management Plan And Letters Of Support For Transportation Funding Bills SB1 And AB1**

Recommended Action: 1) Adopt a Resolution adopting the 2016 Update to the Pavement Management Plan (PMP); 2) Endorse the “Critical Point Management” methodology for the City’s Pavement Management System; and 3) Authorize the Mayor to sign letters of support for Transportation Funding Bills, AB1 and SB1.

Documents:

[CC 2017-02-14_12a 2016 Pavement Mgmt Plan Update.pdf](#)

12.b. **Consideration Of : 1) Participation In The Formation Of The South County Homeless Taskforce; And 2) Appointment Of A Council Member To Serve As A Representative On The Task Force**

Recommended Action: Consider: 1) participation in the formation of the South County Homeless Task Force; and 2) appointment of a Council Member to serve as a representative on the task force.

Documents:

[CC 2017-02-14_12b Participation in So County Homeless Task Force.pdf](#)

12.c. **Consideration Of: 1) Approval Of An Investigation Into Allegations Against The Mayor Of Misconduct; 2) Retention Of Liebert Cassidy Whitmore To Conduct An Independent Investigation And Develop Findings Of Fact And**

Recommendations; 3) Appropriation Of \$15,000 From The Unappropriated Fund Balance For The Investigation; And 4) Authorization For The Interim City Manager To Enter Into An Agreement For The Investigative Services In A Form Approved By The City Attorney

Recommended Action: Consider: 1) approval of an investigation into allegations made by members of the public against the Mayor of misconduct; 2) retention of Liebert Cassidy Whitmore to conduct an independent investigation and develop findings of fact and recommendations; 3) appropriation of \$15,000 from the unappropriated fund balance as payment for the investigation; and 4) authorization for the Interim City Manager to enter into an agreement for the investigative services in a form approved by the City Attorney.

Documents:

[CC 2017-02-14_12c Agreement_Investigation.pdf](#)

13. COUNCIL COMMUNICATIONS:

Any Council Member may ask a question for clarification, make an announcement, or report briefly on his or her activities. In addition, subject to Council Policies and Procedures, Council Members may request staff to report back to the Council at a subsequent meeting concerning any matter or request that staff place a matter of business on a future agenda. Any request to place a matter of business for original consideration on a future agenda requires the concurrence of at least one other Council Member.

14. COMMUNITY COMMENTS AND SUGGESTIONS:

This public comment period is an invitation to members of the community to present issues, thoughts, or suggestions, or to comment on any scheduled Closed Session items. Comments should be limited to those matters that are within the jurisdiction of the City Council. The Brown Act restricts the Council from taking formal action on matters not published on the agenda.

15. CLOSED SESSION:

SUCCESSOR AGENCY:

a) CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8:

Property: APN: 006-151-027; Located at Faeh Avenue and El Camino Real

Agency Negotiators: Debbie Malicoat, Finance Officer; Marty Indvik, Lee & Associates
Negotiating Parties: ELA Foods, Inc.

Under Negotiation: Price and terms of payment for sale of property

Adjourn to closed session.

16. RECONVENE TO OPEN SESSION

Announcement(s) of any reportable action(s) taken in Closed Session will be made in open session, and repeated at the beginning of the next Regular City Council meeting as this portion of the meeting is not recorded or videotaped.

17. ADJOURNMENT

All Staff reports of other written documentation, including any supplemental material distributed to a majority of the City Council within 72 hours of a regular meeting, relating to each item of business on the agenda are available for public inspection during regular business hours in the City Clerk's office, 300 E. Branch Street, Arroyo Grande. If requested, the agenda shall be made available in appropriate alternative formats to persons with disability, as required by the Americans with Disabilities Act. To make a request for disability-related modification or accommodation, contact the Legislative and Information Services Department at 805-473-5414 as soon as possible and at least 48 hours prior to the meeting date.

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