

## **ACTION MINUTES**

### **REGULAR MEETING OF THE CITY COUNCIL TUESDAY, APRIL 12, 2016 COUNCIL CHAMBERS, 215 EAST BRANCH STREET ARROYO GRANDE, CALIFORNIA**

#### **1. CALL TO ORDER**

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

#### **2. ROLL CALL**

City Council: Council Members Jim Guthrie, Tim Brown, Kristen Barneich, Mayor Pro Tem Barbara Harmon and Mayor Jim Hill were present.

Staff Present: City Manager Dianne Thompson, City Attorney Heather Whitham, Deputy City Clerk Kitty Norton, Director of Administrative Services Debbie Malicoat, Community Development Director Teresa McClish, Police Chief Steve Annibali, Public Works Director Geoff English and FCFA Fire Chief Steve Lieberman.

#### **3. MOMENT OF REFLECTION**

#### **4. FLAG SALUTE**

Students from St. Patrick's Catholic School led the Flag Salute.

#### **5. AGENDA REVIEW**

##### **5.a. Closed Session Announcements**

None.

##### **5.b. Ordinances Read in Title Only.**

Council Member Guthrie moved, Council Member Brown 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.b. Mayor's Commendation Recognizing St. Patrick's 3<sup>rd</sup> Grade Class – Cancer Fundraising Efforts.**

Mayor Hill presented a Mayor's Commendation recognizing St. Patrick's 3<sup>rd</sup> grade class for its cancer fundraising efforts. Lindsay Schrom, Teacher, and her students accepted the Commendation.

##### **6.a. Proclamation Declaring April as "Sexual Assault Awareness Month".**

Mayor Hill presented an Honorary Proclamation declaring April as "Sexual Assault Awareness Month". Megan Rivoire, Outreach Coordinator, RISE, accepted the Proclamation.

**6.c. Presentation by Rideshare - “Bike to Work on May 20, 2016”.**

Jim DeCecco, representing Rideshare, presented information regarding the Rideshare program and the Bike to Work Day event on May 20, 2016.

**7. CITIZENS’ INPUT, COMMENTS, AND SUGGESTIONS**

Mayor Hill invited public comment. Speaking from the public were Linda Osty, who offered an invocation; Patty Welsh, commented on the ALS Walk and the money raised to help Devin Ward, and thanked all who helped him; and Tom Woodworth, commented on a traffic hazard at the intersection of Traffic Way and Branch Street.

Mayor Hill requested staff to follow up on the concern expressed about the traffic hazard on Traffic Way and Branch Street.

**8. CITY MANAGER REPORT:**

City Manager Thompson provided a status report on items recently considered by the Traffic Commission, Historical Resources Committee, and Downtown Parking Advisory Board; reported on water conservation in the City and the continued reduction in usage; reported that there will be a Google and Yelp Workshop in an effort to support small businesses; reported that the Police Department received a beautification award; reported on the City’s Annual Family Egg Hunt and Festival, and thanked the staff and sponsors who made the event successful.

Mayor Hill presented Mayor’s Commendations to the Elks Club, Rontal Salon, JJ’s Market, Foresters, Burger King, Kiwanis Club of Arroyo Grande Valley, 5-Cities Men’s Club, Mullahey Ford, McDonald’s, and Wolf Chiropractic in recognition and appreciation of their support of the Annual Family Egg Hunt and Festival.

City Manager Thompson introduced Police Chief Annibali who commented on the partnership between the Police Department and the Community Development Department to identify and analyze crime patterns in Arroyo Grande through the use of the City’s Geographic Information System.

**9. CONSENT AGENDA**

Mayor Hill requested that Item 9.c. be pulled.

Mayor Hill invited public comment on the Consent Agenda. No public comments were received.

**Action:** Council Member Barneich moved, and Council Member Guthrie seconded the motion to approve Consent Agenda Items 9.a. through 9.k., with the exception of Item 9.c., with the recommended courses of action. City Attorney Whitham read the full title of the Ordinance in Item 9.i. The motion passed on the following roll-call vote:

**AYES:** Barneich, Guthrie, Brown, Harmon, Hill  
**NOES:** None  
**ABSENT:** None

- 9.a. **Consideration of Cash Disbursement Ratification.**  
**Action:** Ratified the listing of cash disbursements for the period March 16, 2016 through March 31, 2016.
- 9.b. **Consideration of Approval of Minutes.**  
**Action:** Approved the minutes of the Special City Council Meeting of March 21, 2016, the Regular City Council Meeting of March 22, 2016 and the Special City Council Meeting of March 25, 2016, as submitted.
- 9.d. **Consideration of Approval of an Agreement for Consultant Services for Halcyon Road Complete Streets Plan.**  
**Action:** Approved an Agreement for Consultant Services with Omni-Means for the Halcyon Road Complete Street Plan project.
- 9.e. **Consideration of Approval of an Agreement for Consultant Services with Quincy Engineering for Swinging Bridge Evaluation.**  
**Action:** 1) Approved an Agreement for Swinging Bridge Evaluation with Quincy Engineering for an amount not to exceed \$33,000; and 2) Appropriated \$5,000 from the Local Sales Tax Fund to support Phase One work.
- 9.f. **Consideration of Approval of On-Call Agreements for Consultant Environmental Services.**  
**Action:** 1) Approved on-call Consultant Services Agreements for environmental services to the following firms: SWCA Environmental Consultants; LSA Associates Incorporated; and Terra Verde Environmental Consulting LLC; and 2) Authorized staff to issue purchase orders for consultant services for specific projects if the proposed cost is within the City Council approved project or service budget.
- 9.g. **Consideration of a Resolution Approving the Standard Specifications and Engineering Standards for Construction.**  
**Action:** Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING REVISED STANDARD SPECIFICATIONS AND ENGINEERING STANDARDS FOR CONSTRUCTION”***.
- 9.h. **Consideration of a Resolution Accepting an Irrevocable and Perpetual Offer to Dedicate a Public Roadway Easement – 121 Nevada Street.**  
**Action:** Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ACCEPTING AN IRREVOCABLE AND PERPETUAL OFFER TO DEDICATE A PUBLIC ROAD EASEMENT; LOCATED AT 121 NEVADA STREET; OFFERED BY JONI ANDERSON”***.
- 9.i. **Consideration of Adoption of an Ordinance Amending Portions of Title 16 of the Arroyo Grande Municipal Code Regarding Emergency Shelters and Supportive and Transitional Housing (Development Code Amendment 14-006); Citywide.**  
**Action:** Adopted an Ordinance entitled: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING TITLE 16 OF THE ARROYO GRANDE MUNICIPAL CODE REGARDING EMERGENCY SHELTERS AND SUPPORTIVE AND TRANSITIONAL HOUSING”***.
- 9.j. **Consideration of an Award of Contract to S. Chaves Construction Inc. for Construction of the Soto Sports Complex Barrier Removal Project, Phase II, PW 2015-16.**

**Action:** 1) Awarded a contract for the Soto Sports Complex Barrier Removal Project, Phase II to S. Chaves Construction Inc. in the amount of \$75,574.12; 2) Authorized the City Manager to approve change orders for 10% of the contract amount, \$7,557.41, for unanticipated costs during the construction phase of the project; and 3) Directed the City Clerk to file a Notice of Exemption.

**9.k. Consideration of Acceptance of the Sewer Lift Station No. 1 Pipe Repair Project, PW 2015-12.**

**Action:** 1) Accepted the project improvements as constructed by Main Line Engineering Inc. in accordance with the plans and specifications for the Sewer Lift Station No. 1 Pipe Repair Project; 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.

**ITEM PULLED FROM THE CONSENT AGENDA**

**9.c. Consideration of Council Appointment to the Traffic Commission.**

**Recommended Action:** Approve the recommendation of Mayor Hill to appoint Ken Sage to the Traffic Commission.

Mayor Hill introduced Ken Sage to the Council and community and thanked him for his willingness to serve the City.

**Action:** Mayor Hill moved to appoint Ken Sage to the Traffic Commission. Council Member Brown seconded, and the motion passed on the following roll-call vote:

**AYES:** Hill, Brown, Guthrie, Barneich, Harmon  
**NOES:** None  
**ABSENT:** None

**10. PUBLIC HEARINGS**

None.

**11. OLD BUSINESS**

None.

**12. NEW BUSINESS**

**12.a. Consideration of Neighborhood Traffic Calming Guidelines.**

City Manager Thompson and Community Development Director McClish introduced the item, and City Engineer Horn presented the staff report and recommended that the Council adopt a Resolution approving the Neighborhood Traffic Calming Guidelines. Staff responded to questions from Council.

Mayor Hill invited public comment. Speaking from the public was Patty Welsh, regarding traffic issues in her neighborhood. No further public comments were received.

**Action:** Council Member Brown moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING NEIGHBORHOOD TRAFFIC CALMING GUIDELINES”**. Mayor Pro Tem Harmon seconded, and the motion passed on the following roll call vote:

**AYES:** Brown, Harmon, Guthrie, Barneich, Hill  
**NOES:** None  
**ABSENT:** None

*Mayor Hill called for a break at 7:30 p.m. The Council reconvened at 7:39 p.m.*

### **12.b Review of the Five Cities Fire Authority Joint Exercise of Powers Agreement.**

City Manager Thompson introduced City staff present to assist with the review, as well as Grover Beach Assistant City Attorney David Hale (FCFA Legal Counsel). City Manager Thompson presented the staff report and recommended that the Council review, discuss, and provide direction to Mayor Pro Tem Harmon, the Council appointee to the FCFA Board, regarding potential revisions to the Joint Exercise of Powers Agreement.

Mayor Hill turned the item over to Mayor Pro Tem Harmon.

Mayor Pro Tem Harmon provided background, set forth a process for review of the item, and invited comments from the Council regarding recommended modifications to the terms of the agreement as outlined in Exhibit A.

Council comments and questions ensued regarding potential modifications to the terms of the agreement, including one or more agencies joining or withdrawing from the JPA, hiring of legal counsel, collection of fees for utilities and rent, and replacing major pieces of apparatus.

Mayor Pro Tem Harmon invited public comment. Speaking from the public was Patty Welsh, who commented on the inequity that Oceano has forced on Grover Beach and Arroyo Grande and that she would like to see equity between the three organizations.

The following direction was provided by the City Council to: 1) Strengthen the language in the withdrawal clause regarding negotiating assets as it relates to one or more agencies withdrawing from the JPA; 2) Allow the FCFA Board complete control to hire legal counsel for the Authority; 3) Further discuss clean-up language regarding fees for maintenance of facilities, utilities, building ownership and, levels of service; 4) Further discuss and establish an equipment and vehicle replacement strategy; and 5) Discuss the possibility of a Fire District and the potential of a five member Board.

Mayor Pro Tem Harmon and Chief Lieberman provided background and invited comments from the Council regarding recommended modifications to the terms of the agreement as outlined in Exhibit B.

Council comments and questions ensued regarding potential modifications to the terms of the agreement, including costs and administration, invoicing and payments, funding formulas, and the equal split in funding formulas.

Mayor Pro Tem Harmon invited public comment. Speaking from the public was Patty Welsh, who inquired about responses from Oceano and what percentage of calls require a second engine and commented on the revenues not matching expenditures as it relates to the percentage each City is paying for the JPA.

The following direction was provided by the City Council to: 1) Allow the City of Arroyo Grande to continue to bear the burden of the payroll for the FCFA and continue paying a cost recovery fee to the City; 2) Discuss potentials for conflicts of interest when one agency provides a service and avoiding arbitration; 3) Discuss modifying agreements from time to time to keep up with existing practices; 4) Discuss fixed cost of the Fire Chief position; 5) Discuss other models of operation as it relates to calls for service; and 6) Discuss a sustainability plan regarding funding sources and levels of service.

No formal action was taken on this item.

### **13. COUNCIL COMMUNICATIONS**

Council Member Guthrie referred to Bike Month and suggested a casual dress code for meetings during the month of May for those who are using alternative transportation methods to meetings.

### **14. CLOSED SESSION**

City Attorney Whitham announced that the Council would adjourn to closed session to consider the following item:

- a. **CONFERENCE WITH LABOR NEGOTIATOR** pursuant to Government Code Section 54957.6:  
Agency Designated Representative: Dianne Thompson, City Manager and Deborah Malicoat, Administrative Services Director  
Represented Employees: Arroyo Grande Police Officers' Association (AGPOA)

Mayor Hill invited public comment. No comments were received.

Adjourned to closed session.

### **15. RECONVENE TO OPEN SESSION:**

The Council reconvened at 11:18 p.m. City Attorney Whitham announced that the City Council directed the City Manager to serve as the City's Labor Negotiator and to commence negotiations with the AGPOA.

### **15. ADJOURNMENT**

Mayor Hill adjourned the meeting at 11:20 p.m.

**/s/Jim Hill, Mayor**

**ATTEST:**

**/s/Kitty Norton, Deputy City Clerk**

**(Approved at CC Mtg 04-26-2016)**