

## **ACTION MINUTES**

### **REGULAR MEETING OF THE CITY COUNCIL TUESDAY, AUGUST 9, 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 6:01 p.m.

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

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

Staff Present: Acting City Manager/Public Works Director Geoff English, City Attorney Heather Whitham, Director of Legislative and Information Services/City Clerk Kelly Wetmore, Community Development Director Teresa McClish, Director of Administrative Services Debbie Malicoat, Associate Planner Matt Downing, and Police Chief Steven Annibali.

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

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

Members of 805 Grizzly Bear Scout Group led the Flag Salute.

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

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

##### **July 26, 2016 Regular City Council Meeting:**

- a) Conference with Labor Negotiator pursuant to Government Code Section 54957.6:  
Agency Designated Representative: Karen Sisko, Human Resources Manager  
Represented Employees: Arroyo Grande Police Officers' Association (AGPOA)
- b) Public Employee Appointment pursuant to Government Code Section 54957:  
Title: Interim City Manager
- c) Conference with Labor Negotiator pursuant to Government Code Section 54957.6:  
Agency Designated Representative: Geoff English, Acting City Manager  
Unrepresented Employee: Interim City Manager

City Attorney Whitham announced that the City Council met in closed session on July 26, 2016 and that the City Council provided direction to the City's Agency representative with regard to the Arroyo Grande Police Officers' Association negotiations; and that the City Council provided direction to the City's Acting City Manager regarding the appointment of an Interim City Manager.

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

Council Member Brown moved, Council Member Guthrie 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. CITIZENS' INPUT, COMMENTS, AND SUGGESTIONS**

Mayor Hill invited public comment. Speaking from the public were Linda Drummy, regarding the lack of signage identifying the Berry Gardens neighborhood; Linda Osty, who offered an invocation; Shirley Gibson, Halcyon, regarding the plan to protect the Hoosgow from graffiti and thanking Gillespie Steel Fabricating, Paul Richardson, Talley Farms, and Mr. Gibson for the donation of materials and time to build protective fencing around the Hoosgow; Paul Rinzler, Arroyo Grande, Board Member of Atheist United SLO, mentioned the birthday of Amedeo Avogadro and provided an explanation of Avogadro's Law and encouraged the Council to base their decisions on what they observe and what logically follows; James Wood, Arroyo Grande, shared his thoughts and past experiences at Camp Arroyo Grande and asked the Council to preserve the camp for the next generation; Jeff Brubaker, SLOCOG, provided an update on the region's transportation funding efforts, stated that all cities in San Luis Obispo County have approved the Self-Help Local Transportation Investment Plan, reported that on July 19<sup>th</sup> the County Board of Supervisors voted to place a measure on the November 8<sup>th</sup> ballot for voter consideration, which is a 9 year ½ percent sales tax increase for transportation only investments, and stated more information can be found at [www.selfhelpslo.org](http://www.selfhelpslo.org); Teresa Schultz, Arroyo Grande, regarding Camp Arroyo Grande, that the property has been put up for sale, and supported its preservation as a youth camp and resource on the Central Coast; and Amy, regarding Camp Takaneko and the benefits of the camp to children and supported preserving the property for this use. No further public comments were received.

Mayor Hill requested staff to follow up on the issue regarding the request for signage at Berry Gardens. Council Member Brown mentioned that he has received a number of letters from the public regarding the Methodist Camp and requested any correspondence received be forwarded to the Camp.

**8. ACTING CITY MANAGER REPORT:**

Acting City Manager English announced that City Engineer Matt Horn has accepted a position with the City of San Luis Obispo and recognized his contribution to the City; announced a Strawberry Festival follow up workshop would be held on August 11, 2016; reported that there are Five Cities Fire Authority employees at the Soberanes Fire; provided a status report on recently considered items by the Architectural Review Committee and Staff Advisory Committee; and announced that a volunteer clean-up day would be held on August 12<sup>th</sup> at the James Way Habitat Trail and that there is a need for volunteers.

Mayor Hill thanked Mr. English for his outstanding service to the City as Acting City Manager.

**9. CONSENT AGENDA**

Mayor Pro Tem Harmon requested Items 9.f. and 9.h. be pulled. Council Member Guthrie requested Item 9.b. be pulled.

Mayor Hill invited public comment on the consent agenda. Speaking from the public was Patty Welsh, Arroyo Grande, regarding Item 9.h. (status report on vacation rentals and homestays) stating that the City has 14 approved permits which resulted in \$19,450 in revenue to the City, expressed concern that the City is aware of at least 40 more units that are unpermitted and expressed concern that it was not fair to those who do have permits. No further public comments were received.

**Action:** Council Member Brown moved, and Council Member Guthrie seconded the motion to approve Consent Agenda Items 9.a. through 9.i., with the exception of Items 9.b., 9.f., 9.h., with the recommended courses of action. The motion passed on the following roll-call vote:

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

**9.a. Consideration of Cash Disbursement Ratification**

**Action:** Ratified the listing of cash disbursements for the period July 16, 2016 through July 31, 2016.

**9.c. Consideration of Agreement with Regional Government Services for Interim City Manager Services**

**Action:** Approved and authorized the Mayor to execute an agreement with Regional Government Services (RGS) to provide Interim City Manager services.

**9.d. Consideration of Approval of Minutes**

**Action:** Approved the minutes of the Regular City Council Meeting of July 26, 2016, as submitted.

**9.e. Approval of Amended Minutes of the July 18, 2016 Special City Council Meeting (City Council Goals Workshop)**

**Action:** Approved the minutes of the July 18, 2016 Special Meeting, as amended, to reflect the correct list of City Council Goals for Fiscal Year 2016-17 as developed by the City Council during the goal setting workshop.

**9.g. Authorization to Purchase Water Meters**

**Action:** Approved the purchase of water meters from Aqua Metric in the amount of \$41,000 during FY 2016/17.

**9.i. Consideration to Authorize an Award of Contract for the Purchase of Video Surveillance Equipment for the Soto Sports Complex Facility**

**Action:** Approved the purchase of a video surveillance system for the Soto Sports Complex in the amount of \$18,218.44 from Security Lines U.S.

**ITEMS PULLED FROM THE CONSENT AGENDA**

**9.h. Consideration of Status Report Regarding Development Code Amendment 14-002 Regulating Vacation Rentals and Homestays.**

**Recommended Action:** Receive and file information on the status of Development Code Amendment 14-002, which implemented regulations for the establishment and operation of vacation rentals and homestays within the City.

Staff responded to questions regarding non-permitted residences and the potential use of Police Department volunteers to assist in the education, notification, and compliance process.

**Action:** Council Member Guthrie moved to receive and file information on the status of Development Code Amendment 14-002. Council Member Brown seconded, and the motion passed on the following voice vote:

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

**9.b. Consideration of a Resolution Approving a Memorandum of Understanding with the Arroyo Grande Police Officers' Association for FY 2016-17.**

**Recommended Action:** Adopt a Resolution approving a Memorandum of Understanding ("MOU") with the Arroyo Grande Police Officers' Association ("AGPOA") for FY 2016-17.

Staff referred to the Supplemental Memo distributed to Council which included a revised MOU to include provisions for standby pay in Article 29.C.

In response to a question by Council Member Guthrie regarding total costs for specialty pay, Director Malicoat stated she would follow up with a memo to provide that information to Council.

**Action:** Council Member Guthrie moved, and Council Member Brown seconded the motion to adopt a Resolution, as amended, entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING A MEMORANDUM OF UNDERSTANDING FOR EMPLOYEES REPRESENTED BY THE ARROYO GRANDE POLICE OFFICERS' ASSOCIATION AND REPEALING RESOLUTION NO. 4625"**. The motion passed on the following roll-call vote:

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

**9.f. Consideration of Approval of City Council Goals for FY 2016/17**

**Recommended Action:** Approve the City Council Goals prepared for FY 2016/17.

Mayor Pro Tem Harmon asked for clarification on whether CJPIA will reimburse the City for the cost of the facilitator, and requested that the word "finish" be replaced with the word "complete" under the goal to maintain cost-effective fire service, as follows: ~~Finish~~ Complete the Five Cities Fire Authority Strategic Study, return to Council for review and prioritization, including incorporation into City budget.

**Action:** Mayor Pro Tem Harmon moved, and Council Member Brown seconded the motion to approve the City Council Goals prepared for FY 2016/17, as modified. The motion passed on the following roll-call vote:

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

**10. PUBLIC HEARINGS**

**10.a. Consideration of Staff Project 16-005; A Public Art Sculpture Entitled “Rehearsal”; Location: 495 Fair Oaks Avenue; Applicant: The Clark Center Foundation for the Performing Arts; Representative – Kyle Harris.**

Associate Planner Downing presented the staff report and recommended that the Council allow public comment and provide input on the proposed sculpture.

Mayor Hill opened the public hearing. Speaking from the public were Linda Drummy, asked how the sculpture would be funded; Kyle Harris, LMUSD representative, noted that the sculpture has been completely donated, there is no charge to the City, and addressed the material/coating on the sculpture; and Nan Fowler, President of Clark Center, spoke in support of the sculpture. Hearing no further comments, Mayor Hill closed the public hearing.

Council comments ensued in support of the proposed sculpture; that it will be a great addition to the Clark Center; commended the benefactors Don and Terry Ernst for their generosity; that public art is a critical key to cities, it draws people to the City; and the sculpture will enhance and provide distinction to the Clark Center.

No formal action was taken.

**10.b. Consideration of Temporary Water and Wastewater Rates for Fiscal Year 2016-17 Through Fiscal Year 2018-19.**

Acting City Manager English and Administrative Services Director Malicoat presented the staff report and recommended that the Council: 1) Conduct a public hearing to consider protests regarding the proposed water and wastewater rate adjustments; and 2) If there is no majority protest, adopt a Resolution establishing new water and wastewater rates effective September 1, 2016 for Fiscal Year 2016-17 through Fiscal Year 2018-19. Shane Taylor, Utilities Supervisor, reviewed the daily operations and maintenance of the water systems and responded to questions from Council.

Mayor Hill opened the public hearing. Speaking from the public were Linda Drummy, Arroyo Grande, expressed concern that if rates are raised then they will never go back down and opposed the rate increase; Resident (did not state name), expressed concern with the way the report was presented and opposed the rate increase; Otis Page, Arroyo Grande, expressed concern that the numbers do not add up and opposed the rate increase; LeAnn Akins, read a protest letter from Paul Quinlan and expressed concern about the proposed rate increase; and Resident (did not state name), stated that the Lopez fee used to be a separate line item on the water bill and is now included in the total and requested it be separated out again. Hearing no further comments, Mayor Hill closed the public hearing.

Staff responded to questions from Council regarding transfers to the General Fund to cover direct services provided to the Water Fund.

**Action:** Council Member Brown moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ESTABLISHING WATER AND**

**WASTEWATER RATES AND CHARGES**". Council Member Guthrie seconded, and the motion passed on the following roll call vote:

**AYES:** Brown, Guthrie, Hill  
**NOES:** Harmon  
**ABSENT:** Barneich

*Mayor Hill called for a break at 8:40 p.m. The Council reconvened at 8:45 p.m.*

### **11. OLD BUSINESS**

None.

### **12. NEW BUSINESS**

#### **12.a. Consideration to Reject All Bids for Construction of the City Council Chambers Accessibility Improvement and Audio, Video, and Sound System Project, PW 2015-14.**

Acting City Manager/Public Works Director English presented the staff report and recommended that the Council: 1) Receive a presentation by Ravatt Albrecht & Associates, Inc. and Jensen Audio Visual presenting the overall project; and 2) Reject all bids and direct staff to solicit new bids after modifications are made to the design.

Michelle Stokes, representing Ravatt Albrecht & Associates, provided a presentation on the design of the project.

Eric Kalpakoff, Jensen Audio Visual, provided a presentation of the audio/visual/cablecasting portion of the project.

Mayor Hill invited public comment. Speaking from the public was LeAnn Akins, expressing concern that the City does not have a balanced budget. No further public comments were received.

Council Member Guthrie moved to direct staff to accept the bid, move forward with the construction of the improvements to the building, and return with a menu of choices of possible capital projects in the Local Sales Tax Fund that can be either delayed or modified. Council Member Brown seconded the motion.

Acting City Manager English noted there is specific recommended language when awarding a contract and asked City Attorney Whitham to provide clarification. Council Member Guthrie withdrew his motion.

City Attorney Whitham and Acting City Manager English suggested the following language: to award a construction contract for the City Council Chambers Accessibility Improvement and Audio, Video and Sound System Project to Quincon, Inc. for the Base Bid amount of \$396,544, with Bid Additive No. 1 (\$16,759) to replace the carpet, and appropriate \$176,871 from the General Fund reserves, and to direct the City Clerk to file a Notice of Exemption. Acting City Manager English clarified that the other Bid Additives were not recommended for approval at

this time, and noted that the additional appropriation would include costs for construction contingencies, management, and inspections.

**Action:** Council Member Guthrie moved to award the construction bid for the Base Bid plus Additive No. 1 to Quincon, Inc. including the contingency and inspection fees as outlined in the staff report, for a total of \$586,000, appropriate from the reserves \$176,000 for the difference in cost, and to direct staff to come back with a menu of capital projects that may be able to make up the difference in cost.

City Attorney Whitham clarified that the total cost is \$586,871 and that the Council is directing the City Clerk to file a Notice of Exemption. Council Member Guthrie agreed and amended his motion to include that clarification. Council Member Brown seconded, and the motion passed on the following roll call vote:

**AYES:** Guthrie, Brown, Hill  
**NOES:** Harmon  
**ABSENT:** Barneich

### **13. COUNCIL COMMUNICATIONS**

Mayor Hill announced that the South San Luis Obispo County Sanitation District Board voted to end litigation against the Regional Water Quality Control Board.

Mayor Hill requested that an item regarding a moratorium on any future annexations into the City and building moratorium going forward be placed on the next agenda for discussion. Council Member Brown concurred.

Council Member Brown requested that the public write the City letters regarding the value of saving the Methodist Camp which can be forwarded to the Methodist organization; and expressed concern with how high the threshold is for water and sewer rate protests.

Mayor Pro Tem Harmon reported on the results and success of the Relay for Life event in Arroyo Grande.

### **14. CLOSED SESSION**

None.

Mayor Hill invited final public comment. Speaking from the public was LeAnn Akins, who mentioned the Water Summit held at the White House, that 50-75 initiatives came out of it, commented that 83% of California is in a drought, and encouraged the Council to take steps to secure the City's water supply.

### **14. ADJOURNMENT**

Mayor Hill adjourned the meeting at 10:04 p.m.

**Minutes: City Council Regular Meeting  
Tuesday, August 9, 2016**

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**/s/Jim Hill, Mayor**

**ATTEST:**

**/s/Kelly Wetmore, City Clerk**

**(Approved at CC Mtg 08/23/2016)**