

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL/SUCCESSOR AGENCY TO THE DISSOLVED ARROYO GRANDE REDEVELOPMENT AGENCY TUESDAY, SEPTEMBER 27, 2016 SOUTH COUNTY REGIONAL CENTER, 800 WEST 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, Kristen Barneich, Mayor Pro Tem Barbara Harmon and Mayor Jim Hill were present.

Staff Present: Interim City Manager Bob McFall, City Attorney Heather Whitham, Director of Legislative and Information Services/City Clerk Kelly Wetmore, Director of Administrative Services Debbie Malicoat, Community Development Director Teresa McClish, and Public Works Director Geoff English.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Michael Drees, representing South County Historical Society, led the Flag Salute.

5. AGENDA REVIEW

5.a. Closed Session Announcements.

September 13, 2016 Regular Meeting:

- a. Conference with Legal Counsel - Anticipated Litigation - Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:
Two (2) potential cases

City Attorney Whitham announced that the City Council met in closed session on September 13, 2016 and at that time, the City Council authorized the Mayor to execute a settlement agreement with Charter Communications regarding the collection of Public, Education, and Government (PEG) fees.

In addition, the City Council, by a vote of 4-0-1 (Mayor Hill was absent due to an employment conflict of interest) voted to jointly participate with the City of San Luis Obispo and other participating cities in proceedings before the California Public Utilities Commission regarding a joint proposal filed by PG&E and other parties to close both units of the Diablo Canyon Nuclear Power Plant.

- b. Public Employee Performance Evaluation pursuant to Government Code Section 54957:
Title: Interim City Manager

City Attorney Whitham announced that there was no reportable action taken on this item.

5.b. Ordinances Read in Title Only.

Council Member Brown moved, and Council Member Barneich 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 Osty, who offered an invocation; Patty Welsh, who commended Officer Shane Day and others for fighting a fire on Whitely Street and acknowledged the efforts of the Fire and Police Departments; Brad Snook, Chair, Surfrider Foundation, announced the 23rd Annual Pier to Pier Paddle Benefit for Jr. Lifeguards on October 8th in honor of Ken Harmount; Shirley Gibson, Halcyon, spoke in support of preserving the Arroyo Grande Methodist Camp and provided historical background information about John Beckett who donated the property to the Methodist Church; and Michael Drees, spoke about the Methodist Camp and property and supported preservation of the tabernacle structure on the site.

8. INTERIM CITY MANAGER REPORT:

Interim City Manager McFall provided an update on the Council Chambers project, reported on the Harvest Festival and City booth, and commented on the success of the Five Cities Homeless Coalition's Empty Bowls fundraiser event.

9. CONSENT AGENDA

Mayor Hill invited public comment. Speaking from the public was Patty Welsh, regarding Item 9.d. (Monthly Water Supply and Demand Update), and expressed concern that the City aquifers cannot support water usage if Lake Lopez goes dry and requested more discussion from Council on the matter.

Action: Council Member Barneich moved, and Council Member Guthrie seconded the motion to approve Consent Agenda Items 9.a. through 9.d., with the recommended courses of action. 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 August 16, 2016 through September 15, 2016.

9.b. Consideration of Investment Deposits.

Action: Received and filed the report listing the current investment deposits of the City, as of June 30, 2016 and July 31, 2016, as required by Government Code Section 53646(b).

9.c. Consideration of Approval of Minutes.

Action: Approved the minutes of the Regular City Council Meeting of September 13, 2016, as submitted.

9.d. Monthly Water Supply and Demand Update.

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

10. PUBLIC HEARINGS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

12.a. Consideration of a Resolution of Intention and Introduction of Ordinance to Approve an Amendment to the Contract Between the Board of Administration California Public Employees' Retirement System and the City of Arroyo Grande.

Administrative Services Director Malicoat presented the staff report and recommended that the Council adopt and authorize the Mayor to sign on behalf of the City a Resolution of Intention with the California Public Employees' Retirement System and introduce an Ordinance to approve an amendment to the California Public Employee's Retirement System Contract regarding cost sharing by members of the Arroyo Grande Police Officers' Association.

Mayor Hill invited public comment. No public comments were received.

Action: Council Member Barneich moved to adopt and authorize the Mayor to sign on behalf of the City a Resolution entitled: **"A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL CITY OF ARROYO GRANDE"**. Council Member Brown seconded, and the motion passed on the following roll-call vote:

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

Action: Council Member Barneich moved to introduce an Ordinance entitled: **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM"**. Council Member Brown seconded, and the motion passed on the following roll-call vote:

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

12.b. Consideration of Procurement of Consultant Services for City Manager Recruitment.

Interim City Manager McFall presented the staff report and recommended that the Council: 1) Authorize the Interim City Manager to distribute Request for Proposals (RFPs) to executive recruitment firms to coordinate the City Manager recruitment and selection process; and 2) Designate two (2) Councilmembers to interview the recruitment firm applicants and provide a recommendation to the City Council for consideration.

Mayor Hill invited public comment. Speaking from the public was Caren Ray, who expressed concern that the report does not address if the City is waiving provisions in the previous recruitment firm's agreement that it would conduct a new recruitment at no charge to the City, and that if so, the City is going to spend up to \$30,000 of taxpayer money when it does not necessarily need to do so, and suggested the recruitment process could be completed in-house. No further public comments were received.

Action: Council Member Barneich moved to: 1) Authorize the Interim City Manager to distribute Request for Proposals to executive recruitment firms to coordinate the City Manager recruitment and selection process; and 2) Designate Mayor Pro Tem Harmon and Council Member Brown to interview the recruitment firm applicants and provide a recommendation to the City Council for consideration. Mayor Hill seconded, and the motion passed on the following roll-call vote:

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

13. CITY COUNCIL REPORTS

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

- (a) MAYOR HILL:**
 - (1) South San Luis Obispo County Sanitation District (SSLOCSD).
 - (2) Brisco/Halcyon Interchange Subcommittee
 - (3) Oversight Board to the Successor Agency to the Dissolved Arroyo Grande Redevelopment Agency
 - (4) California Joint Powers Insurance Authority (CJPIA)

- (b) MAYOR PRO TEM HARMON:**
 - (1) County Water Resources Advisory Committee (WRAC)
 - (2) Air Pollution Control District (APCD)
 - (3) Five Cities Fire Authority (FCFA)

- (c) COUNCIL MEMBER GUTHRIE:**
 - (1) San Luis Obispo Council of Governments/Regional Transit Authority (SLOCOG/RTA)
 - (2) South County Transit (SCT)
 - (3) Tourism Committee
 - (4) Brisco/Halcyon Interchange Subcommittee
 - (5) Economic Vitality Corporation

- (d) COUNCIL MEMBER BROWN:**
 - (1) Integrated Waste Management Authority Board (IWMA)
 - (2) Economic Vitality Corporation (EVC)
 - (3) South San Luis Obispo County Sanitation District (SSLOCSD).

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

14. COUNCIL COMMUNICATIONS

Council Member Barneich referred to the request for funding from the 5 Cities Diversity Coalition and requested that this item be brought back on a future agenda for consideration. Council Member Guthrie concurred.

Mayor Pro Tem Harmon announced a tribute to Veterans to be held at the Alex Madonna Expo in San Luis Obispo on October 27, 2016.

Mayor Hill thanked everyone who participated in the 5 Cities Homeless Coalition Empty Bowls event and commented on the Harvest Festival Grape Stomp event.

15. COMMUNITY COMMENTS AND SUGGESTIONS

None.

16. CLOSED SESSION

At 7:27 p.m., City Attorney Heather Whitham announced the City Council/Successor Agency would adjourn to closed session to consider the following items:

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: Pacifica Investments, LLC; and Parimal Naran
Under Negotiation: Price and terms of payment for sale of property

CITY COUNCIL

Council Member Barneich stated that in order to avoid a perceived conflict of interest she would step down on Item 16.b.

- b) **CONFERENCE INVOLVING A JOINT POWERS AGENCY- FIVE CITIES FIRE AUTHORITY** pursuant to Government Code Section 54956.96(b):

Discussion will concern:

CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6:

Agency Negotiators: Shelline K. Bennett, Law Firm of Liebert Cassidy Whitmore; Debbie Malicoat, Administrative Services Director, Arroyo Grande; Channelle Hubbard, Human Resources Coordinator, Grover Beach

Represented Employees: International Association of Fire Fighters (IAFF) Local 4403

Local agency representative on Five Cities Fire Authority Board: Barbara Harmon

Adjourned to Closed Session.

17. RECONVENE TO OPEN SESSION

Mayor Hill reconvened the meeting to open session at 8:48 p.m. City Attorney Whitham made the following announcements:

- 16.a) The Successor Agency provided direction to the Agency Negotiator regarding the sale of the property.
- 16.b) The City Council provided direction to the Agency Negotiator regarding the labor negotiations with the International Association of Fire Fighters.

18. ADJOURNMENT

Mayor Hill adjourned the meeting at 8:50 p.m.

/s/Jim Hill, Mayor

ATTEST:

/s/Kelly Wetmore, City Clerk

(Approved at CC Mtg 10/11/2016)