

## **ACTION MINUTES**

### **REGULAR MEETING OF THE CITY COUNCIL TUESDAY, FEBRUARY 27, 2018 COUNCIL CHAMBERS, 215 E. 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 Tim Brown, Kristen Barneich, Barbara Harmon, Mayor Pro Tem Caren Ray, and Mayor Jim Hill were present.

Staff Present: City Manager Jim Bergman, City Attorney Heather Whitham, Director of Legislative and Information Services/City Clerk Kelly Wetmore, Director of Public Works Bill Robeson, Interim Director of Recreation Services Sheridan Bohlken, Director of Administrative Services Debbie Malicoat, and Public Works Manager Shane Taylor.

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

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

Bob Lund, representing Arroyo Grande In Bloom, led the Flag Salute.

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

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

##### **City Council Meeting of February 13, 2018**

- a) Conference with Legal Counsel - Anticipated Litigation. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9 and Section 54956.9(e)(3): One Case

City Attorney Whitham announced that the City Council met in closed session at a Regular Meeting on February 13, 2018 to discuss the above item, and that there was no reportable action.

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

Council Member Brown moved, 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, stated she recently wrote to the Council to ask a question and asked for a response, thanked the three Council Members who responded, and expressed concern that not all Council Members responded; Ken Price, commented on the water issue facing the City, commented on the importance of getting the residents behind water conservation, and

urged the City to educate the public about the issue and the importance of working together to conserve water; Wendy Trudoro, Arroyo Grande High School student representing the Friday Night Live Program, spoke about the ill effects of second hand smoking and its effect on the community's youth, requested the City Council update Chapter 8.36 of the City's Municipal Code to reflect the 2016 State law that has increased the legal age to buy tobacco and its related products to 21, and install more comprehensive no smoking signage in specified areas.

**8. CITY MANAGER REPORT:**

City Manager Bergman thanked the Grizzly Youth Academy cadets for their recent volunteer clean-up work day at Elm Street Park, and provided an update on public outreach efforts to date regarding the budget development process.

**9. CONSENT AGENDA**

Council Member Harmon requested that Item 9.f. be pulled for a separate roll call vote.

Mayor Hill invited public comment on the consent agenda items. Hearing no public comments, he closed the public comment period.

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

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

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

**Action:** Ratified the listing of cash disbursements for the period February 1, 2018 through February 15, 2018.

**9.b. Consideration of Statement of Investment Deposits.**

**Action:** Received and filed the report listing of investment deposits of the City of Arroyo Grande, as of January 31, 2018, as required by Government Code Section 53646(b).

**9.c. Consideration of Approval of Cost Allocation Plan.**

**Action:** Approved the Fiscal Year 2017-18 Cost Allocation Plan and amended the budget as appropriate.

**9.d. Consideration of Acceptance of the Municipal Water Well No. 11 Treatment Plant Construction, Well Equipment and Pipeline Installation Project, PW 2010-07.**

**Action:** 1) Accepted the project improvements as constructed by Brough Construction, Inc. in accordance with the plans and specifications for the Municipal Water Well No. 11 Treatment Plant Construction, Well Equipment and Pipeline Installation Project, PW 2010-07; 2) Directed staff to file a Notice of Completion; and 3) Authorized release of retention, thirty-five (35) days after the Notice of Completion has been recorded, if no liens have been filed.

**9.e. Consideration to Approve Amendment No. 1 to Consultant Services Agreements for Civil Engineering, Construction Management, Materials Testing, and Land Surveying Services.**

**Action:** Approved and authorized the City Manager to execute Amendment No. 1 to Consultant Services Agreements to extend agreements for an additional two (2) years to the following firms for specified services: 1) Earth Systems Pacific; Pavement Engineering Inc.; and Advantage Technical Services Inc. for materials testing services; 2) Cannon Corporation; Stantec Consulting Services Inc.; and MNS Engineers Inc. for

land surveying services; 3) Filippin Engineering Inc.; MNS Engineers Inc.; Water Systems Consulting Inc.; Lenhardt Engineering Inc.; Stantec Consulting Services Inc., for construction management services; 4) Omni Means Engineering Solutions; Wallace Group; Cannon Corporation; Water Systems Consulting Inc.; Michael K Nunley and Associates; Eikhof Design Group; Lenhardt Engineering Inc.; North Coast Engineering Inc. for civil engineering services; and 5) Authorized staff to issue purchase orders for consultant services if the proposal cost is within the City Council approved project or service budget.

### **ITEMS PULLED FROM THE CONSENT AGENDA**

- 9.f. Consideration of Adoption of Ordinance for Development Code Amendment Case No. 18-001; Amendments to Title 16 of the Arroyo Grande Municipal Code Regarding Design Requirements for Post Construction Stormwater Compliance; Location - Citywide; Applicant - City Of Arroyo Grande.**  
**Recommended Action:** Adopt an Ordinance amending Title 16 of the Arroyo Grande Municipal Code regarding Design Requirements for Post Construction Stormwater Compliance.

City Attorney Whitham read the full title of the Ordinance as follows: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING SECTION 16.08.010 OF TITLE 16 REGARDING DESIGN REQUIREMENTS FOR POST CONSTRUCTION REQUIREMENTS”***.

**Action:** Council Member Barneich moved to adopt the Ordinance as read in title by the City Attorney. Council Member Brown seconded, and the motion passed on the following roll-call vote:

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

### **10. PUBLIC HEARINGS**

None.

### **11. OLD BUSINESS**

#### **11.a. Monthly Water Supply and Demand Update and Presentation.**

Public Works Director Robeson introduced the item and Public Works Manager Taylor gave a presentation regarding the status of the drought conditions in San Luis Obispo County and reviewed the City’s water usage and surplus for January 2018; reviewed Lopez Reservoir storage projections; reviewed the City’s mandatory water conservation requirements that are still in place; announced that the City will be encouraging compliance by sending out reminders and issuing warnings as needed; reviewed the City’s triggering conditions that implement additional stages of action; and spoke about the City’s retrofit programs. Staff responded to questions from Council.

Mayor Hill invited public comment. Speaking from the public was Patty Welsh, who commented on the public’s need to start conserving more water, asked when fines will be charged again,

and commented on new commercial development that is occurring in the City. Hearing no further public comments, Mayor Hill closed the public comment period.

Council comments ensued with a suggestion to staff to provide additional information in the monthly report regarding the amount of rain received and the per capita water use each month; the importance of re-educating the public about water conservation; a suggestion to place an electronic signage board on E. Grand Avenue to educate the public about water conservation and to expand public communication through the City's website and social media; and a request for staff to come back to Council in April, after the rainy season is over, with an updated presentation on the status of the City's water supply.

No formal action was taken on this item. The report was received and filed.

## **12. NEW BUSINESS**

### **12.a. Consideration of Fiscal Year 2017-18 Mid-Year Budget Report.**

Administrative Services Director Malicoat presented the staff report and recommended that the Council: 1) Approve detailed budget adjustments and requests for additional appropriations listed in the Mid-Year Budget Report; and 2) Approve Schedule A.

Staff responded to questions from Council. In response to questions from Council regarding the proposed funding for the Diablo closure economic study, Mayor Hill invited Mike Manchek, President and CEO of the Economic Vitality Corporation, to address the Council.

Mr. Manchek provided a brief overview and clarification of the EVC's role in organizing and coordinating efforts to obtain funding and provide management support for the Diablo Closure Economic Study and responded to questions from Council.

Mayor Hill invited public comment. Speaking from the public was Robert Olson, who referred to the Mid-Year Budget Report and noted that budgets come in at the end of the year either over budget or under budget, and suggested that in future budgets, the Council request staff to bring two lists – a list of expected overages and a list of items that are expected to come in under budget. Hearing no further public comments, Mayor Hill closed the public comment period.

Council comments ensued regarding the increased costs in Citywide water use and reducing the City's water use at City facilities, particularly on turf in City parks without affecting public safety at the athletic fields; and in opposition to appropriating \$28,800 for the Diablo closure economic study based on the fact that it is not yet known how much the business community or other jurisdictions are contributing, whether any grants will be available to fund the study, that government should not be on the front end of funding the study, that it is not clear what the scope of the study or value of the study will be for Arroyo Grande, and concern regarding the amount of administrative/management costs for the study.

**Action:** Council Member Harmon moved to approve detailed budget adjustments and requests for additional appropriations listed in the Mid-Year Budget, as modified, to direct staff to implement a 10% reduction in City water use in parks, to be increased incrementally by 5% at the discretion of the Public Works Director as appropriate; to not approve an appropriation of \$28,800 for the EVC Diablo closure economic study; to approve Schedule A as amended; and to direct staff to place information regarding current water restrictions and efforts the City is

taking to conserve water use in City parks on the City's website in a prominent location. Council Member Brown seconded, and the motion passed on the following roll-call vote:

**AYES:** Harmon, Brown, Barneich, Ray, Hill  
**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
  
- (b) MAYOR PRO TEM RAY:**
  - (1) California Joint Powers Insurance Authority (CJPIA)
  - (2) Economic Vitality Corporation (EVC)
  - (3) Tourism Marketing Committee
  - (4) Community Action Partnership San Luis Obispo (CAPSLO)
  
- (c) COUNCIL MEMBER BROWN:**
  - (1) San Luis Obispo Council of Governments/Regional Transit Authority (SLOCOG/RTA)
  - (2) Integrated Waste Management Authority Board (IWMA)
  - (3) South County Transit (SCT)
  - (4) Brisco/Halcyon Interchange Subcommittee
  
- (d) COUNCIL MEMBER BARNEICH:**
  - (1) Zone 3 Water Advisory Board
  - (2) Homeless Services Oversight Council (HSOC)
  
- (e) COUNCIL MEMBER HARMON:**
  - (1) County Water Resources Advisory Committee (WRAC)
  - (2) Air Pollution Control District (APCD)
  - (3) Five Cities Fire Authority (FCFA)

### **14. COUNCIL COMMUNICATIONS**

Council Member Barneich announced the "We Heart AG" would be holding its first annual volunteering event beginning at 8:00 a.m. on Earth Day, April 22<sup>nd</sup>, at Heritage Square Park, and stated it was an opportunity for members of the public to sign up for various volunteering opportunities and give back to the community. Council Member Barneich also announced the next free Senior Tech Clinic on March 17<sup>th</sup> from 10:00 to 11:30 a.m. at the Council Chambers where teens from Arroyo Grande High School will provide seniors assistance with their computers, tablets and mobile devices.

Council Member Brown expressed appreciation to the Neighborhood Services staff for their quick response to two recent code enforcement issues.

Council Member Harmon announced that the Arroyo Grande-Grover Beach Chamber of Commerce Membership and Visitor Guide is out and available at the Chamber office as well as local hotels and motels. She stated the new Area Map is also available and both publications do a good job promoting the City and its various businesses.

**15. COMMUNITY COMMENTS AND SUGGESTIONS**

None.

**16. CLOSED SESSION**

None.

**17. ADJOURNMENT**

Mayor Hill adjourned the meeting at 9:01 p.m.

**/s/Jim Hill, Mayor**

**ATTEST:**

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

**(Approved at CC Mtg 03-13-2018)**