

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL/SUCCESSOR AGENCY TO THE DISSOLVED ARROYO GRANDE REDEVELOPMENT AGENCY TUESDAY, MARCH 13, 2018 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

1. CALL TO ORDER

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

2. ROLL CALL

City Council/Board: Council/Board Members Barbara Harmon, Kristen Barneich and Tim Brown, Mayor Pro Tem/Vice Chair Ray, and Mayor/Chair 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 Administrative Services Debbie Malicoat, Director of Community Development Teresa McClish, Associate Planner Kelly Heffernon, and Five Cities Fire Authority Fire Chief Steve Lieberman.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Sean Schuur, representing 5 Cities Men's Club, led the Flag Salute.

5. AGENDA REVIEW

Mayor Hill requested, and the Council concurred, to move Item 12.a. up on the Agenda prior to the consent agenda in order to accommodate the consultant.

5.a. Closed Session Announcements.

None.

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. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Hill invited public comment. Speaking from the public were Linda Osty, who offered an invocation; Coleen Kubel, urged the Council to support its representative on the Sanitation District Board by sending a letter requesting certain items be placed on the agenda, and also suggested the Council request the Sanitation District to consider changing to a five member Board; Patty Welsh, referred to the Bellaserra development and stated the developers have not complied with the landscape plan, expressed concern about the standing water in the basin, expressed concern about the inconsistent fencing material throughout the development, and stated she has not received a response from the City regarding her concerns; Patricia Price,

suggested the Council send a letter to the Sanitation District regarding Mayor Hill's request to place items on the Agenda, and expressed concerns about the status of the audit for the Sanitation District; and Richard Berg, commented on water quality and the City's water sources, commented on oil wells, referred to a ballot initiative to ban new oil wells and to prevent fracking in San Luis Obispo County and requested the Council study the issue and provide comments to the County. No further comments were received.

8. CITY MANAGER/DIRECTOR REPORT

There were no communications from staff.

The next agenda item was heard out of order.

12. NEW BUSINESS

12.a. Consideration of Refunding 2007 Tax Allocation Bonds. [CITY COUNCIL/SUCCESSOR AGENCY]

Administrative Services Director Malicoat provided introductory comments. Bond consultants Mark Pressman and Erick Cruz of Wulff, Hansen & Co., provided a presentation regarding the proposed 2007 Tax Allocation Bonds Refunding – Debt Service Savings Analysis. Mr. Pressman and staff responded to questions from the Council/Board members.

Mayor/Chair Hill invited public comment. Speaking from the public was Linda Osty, clarifying that the term for the bonds would not be extended. No further public comments were received.

Successor Agency

Action: Board Member Barneich moved to: 1) Provide authorization to issue taxable tax allocation refunding bonds to refund in full the Arroyo Grande Redevelopment Agency, Arroyo Grande Redevelopment Project Area, and 2007 Tax Allocation Bonds; 2) Adopt a Resolution entitled: ***"A RESOLUTION OF THE SUCCESSOR AGENCY TO THE DISSOLVED ARROYO GRANDE REDEVELOPMENT AGENCY APPROVING THE ISSUANCE OF REFUNDING BONDS IN ORDER TO REFUND CERTAIN OUTSTANDING OBLIGATIONS OF THE FORMER ARROYO GRANDE REDEVELOPMENT AGENCY, APPROVING THE FORMS AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST, AN ESCROW AGREEMENT AND A BOND PURCHASE AGREEMENT RELATING THERETO, REQUESTING OVERSIGHT BOARD APPROVAL OF THE ISSUANCE OF THE REFUNDING BONDS, REQUESTING CERTAIN DETERMINATIONS BY THE OVERSIGHT BOARD, AND PROVIDING FOR OTHER MATTERS RELATING THERETO"***; and 3) Authorize the Executive Director to amend or revise minor, non-substantive changes and execute final documents and agreements as needed to affect the bond refunding, provided they are in substantial compliance with the draft documents and Board direction. Board Member Brown seconded, and the motion passed on the following roll call vote:

AYES: Board Members Barneich, Brown, Harmon, Ray, and Chair Hill
NOES: None
ABSENT: None

City Council

Action: Council Member Harmon moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING A DEBT MANAGEMENT POLICY”**. Council Member Brown seconded, and the motion passed on the following roll call vote:

AYES: Council Members Harmon, Brown, Barneich, Ray, and Chair Hill
NOES: None
ABSENT: None

9. CONSENT AGENDA

Council Member Barneich requested that Item 9.g. be pulled for a separate vote.

Mayor Hill invited public comment on the consent agenda. No public comments were received.

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

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

9.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period February 16, 2018 through February 28, 2018.

9.b. Consideration of Reimbursement to the City of San Luis Obispo.

Action: 1) Appropriated \$13,400 from the General Fund unallocated fund balance; and 2) Approved reimbursement to the City of San Luis Obispo for \$13,367.12 for Coalition of Cities costs related to the closure of the Diablo Nuclear Power Plant.

9.c. Consideration of Approval of Minutes.

Action: Approved the minutes of the Regular City Council Meetings of February 13, 2018, and February 27, 2018, as submitted.

9.d. Consideration of Council Appointment to Traffic Commission.

Action: Approved the recommendation of Council Member Brown to appoint Timothy Storton to the Traffic Commission.

9.e. Consideration of Acceptance of the Santos Field Barrier Removal Project, PW 2017-01.

Action: 1) Accepted the project improvements as constructed by Sansone Company, Inc. in accordance with the plans and specifications for the Santos Field Barrier Removal Project, PW 2017-01; 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.f. Consideration of a Sixth Amendment to Agreement for Consultant Services with Quincy Engineering, Inc. for the Bridge Street Bridge Rehabilitation Project.

Action: 1) Approved a Sixth Amendment to the Agreement for Consultant Services (“Sixth Amendment”) with Quincy Engineering, Inc. to include additional services; 2)

Authorized the Mayor to execute the Sixth Amendment; and 3) Appropriated an additional \$100,000 of Local Highway Bridge Program (HBP) grant funds in the capital improvement program budget for the utility design phase of the project.

ITEMS PULLED FROM CONSENT AGENDA

- 9.g. Consideration of Temporary Use Permit No. 17-023; Authorization to use City Property for a Beer and Food Festival on Saturday, October 13, 2018, and Waiver of Application Fees; Location – Heritage Square Park; Applicant – Arroyo Grande Village Improvement Association; Representative – Bob Lund**
Recommended Action: Adopt a Resolution approving Temporary Use Permit 17-023.

Council Member Barneich stated she would recuse herself from voting on this item due to a conflict of interest resulting from her position as a private citizen on the Board of the 5Cities Homeless Coalition, which is a recipient of a small amount of funds from the Beer and Food Festival.

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

Mayor Hill noted that he has not supported this item in the past as the adult event is held in one of the City's parks and he preferred to see the park open to everyone during that time.

Action: Council Member Brown moved, and Mayor Pro Tem Ray seconded the motion to adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT NO.17-023 AND WAIVER OF APPLICATION FEES; AUTHORIZATION TO USE CITY PROPERTY FOR A BEER AND FOOD FESTIVAL ON OCTOBER 13, 2018; LOCATED AT HERITAGE SQUARE PARK; APPLIED FOR BY THE ARROYO GRANDE VILLAGE IMPROVEMENT ASSOCIATION"***. The motion passed on the following roll-call vote:

AYES: Brown, Ray, Harmon
NOES: Hill
ABSENT: Barneich (recused)

10. PUBLIC HEARINGS

- 10.a. Consideration of Community Development Block Grant (CDBG) Projects and Jim Guthrie Community Service Grant Program Allocations for Year 2018.**

Council Member Barneich announced she would recuse herself and step down for this item due to a conflict of interest resulting from her position as a private citizen on the Board of the 5Cities Homeless Coalition.

Community Development Director McClish provided introductory comments. Associate Planner Heffernon presented the staff report and recommended that the City Council: 1) Adopt a Resolution approving projects proposed by the 5Cities Homeless Coalition and Family Care Network, Inc. to be funded with the City's allocation of CDBG funds for the Year 2018; and 2)

Adopt a Resolution approving projects to be funded with the City's Jim Guthrie Community Service Grant Program funds. Staff responded to questions from Council.

In response to a question by Council Member Brown regarding the Family Care Network's application, Bobbi Boyer, CDBG applicant representing Family Care Network, stated that they have not yet secured additional funding to close the financial gap for their project, but they are still looking. Council Member Brown asked Ms. Boyer to write a letter to the City Manager requesting that the City reach out to other entities to see if they would be willing to help.

Mayor Hill opened the public hearing. Speaking from the public were: Jim Guthrie, who spoke about the Community Service Grant Program, expressed concern that the Council is allocating CDBG funds for a community service project, and commented on Council Member Barneich's conflict of interest; Carol Florence, representing Big Brothers Big Sisters of San Luis Obispo County, expressed gratitude for acknowledgment of the work they do, thanked the Council for its consideration, and introduced their new Executive Director Jenny Luciano; Danielle Atencio, representing Peoples' Self-Help Housing, provided an overview of the organization and provided information about its grant request to provide a "Little Free Library" at Courtland Street Apartments and requested the Council reconsider its application for funding; Susan Graves, representing CASA, thanked the Council for the grant funding and provided an update of services that CASA provides; Bob Kerwin, representing SCORE, provided an overview of its programs and thanked the Council for their continued support; Sue Pino, representing Assistance League of San Luis Obispo County, spoke about the Operation School Bell program and thanked the Council for their consideration; Christopher Hamma, representing ECOSLO, spoke about its volunteer cleanup activities, thanked the Council for their consideration, acknowledged the organizations that received funding, and announced that Coastal Clean Up Day is always looking for sponsors; Marcia Alter, representing Homeshare SLO, spoke about the Homeshare SLO program, gave an update on the program's progress throughout the County and hoped the Council would reconsider and provide some level of funding; Jana Nichols, representing 5Cities Homeless Coalition, thanked the Council for their consideration and provided an update of the Coalition's recent activities. Upon hearing no further public comments, Mayor Hill closed the public hearing.

Action: Council Member Harmon moved to: 1) Adopt a Resolution entitled: "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECTS FOR YEAR 2018**"; and 2) Adopt a Resolution entitled: "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING JIM GUTHRIE COMMUNITY SERVICE GRANT PROGRAM PROJECTS FOR YEAR 2018**". Mayor Pro Tem Ray seconded, and the motion passed on the following roll-call vote:

AYES: Harmon, Ray, Brown, Hill
NOES: None
ABSENT: Barneich (recused)

11. OLD BUSINESS

None.

12. NEW BUSINESS

12.b. Consideration of an Ordinance Adding Section 15.04.032 to Title 15 of the Arroyo Grande Municipal Code to Create an Expedited Permitting Process for Electric Vehicle Charging Stations (Staff Project No. 18-002).

Community Development Director McClish provided introductory comments. Associate Planner Heffernon presented the staff report and recommended the Council introduce an Ordinance adding Section 15.04.032 to Title 15 of the Arroyo Grande Municipal Code (Buildings and Construction) to create an expedited and streamlined permitting process for electric vehicle charging stations as required by Government Code Section 65850.7.

Mayor Hill invited public comment. Speaking from the public were: Jim Guthrie, regarding the City's permitting processes; Patty Welsh, stated that she doesn't see a big rush of applications coming in that would impact staff; John Keen, spoke about the placement of electric vehicle charging stations, the use for charging stations versus parking spots, and expressed concern that Arroyo Grande Hospital removed four ADA spaces and replaced them with charging stations and requested that staff guidance be included in permit process; and Coleen Kubel, commented on the permit process, stated she has been waiting 90 days for an accessory dwelling unit permit, and spoke about the need for a more streamlined and user friendly permitting process.

Council Member Harmon expressed concern about the State mandate and giving this permit application process priority over other permits. Council Member Brown stated he did not support placing electric vehicle stations close to building entrances as an incentive. Further Council comments ensued regarding the electric vehicle infrastructure permitting checklist, clarification that the checklist is not part of the proposed ordinance and is subject to approval by the Building Official, and direction to staff to ensure that priority is provided for required ADA parking spaces over parking spaces for electric vehicle charging stations, and that the checklist is modified accordingly.

Action: Mayor Pro Tem Ray moved to introduce an Ordinance entitled: ***"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO ADDING SECTION 15.04.032 TO TITLE 15 OF THE ARROYO GRANDE MUNICIPAL CODE (BUILDINGS AND CONSTRUCTION) TO CREATE AN EXPEDITED AND STREAMLINED PERMITTING PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS AS REQUIRED BY GOVERNMENT CODE SECTION 65850.7"***, and further, to direct the Building Official to modify the checklist with regard to preserving the City's ADA/handicapped parking spaces. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

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

12.c. Provide Policy and Early Budget Direction Regarding Fire and Emergency Services Due to Anticipated Cost Increases.

City Manager Bergman presented the staff report and recommended the City Council: 1) Continue under the adopted policy to “Maintain and improve the Fire Department’s ability to respond to emergency calls and suppress fires throughout the City within a maximum response time of six (6) minutes... More concentrated urban uses should be within four (4) minutes response time”; 2) Continue to support the transition to full-time firefighters and three (3) person staffing; (Captain, Engineer, and Firefighter on each shift); and 3) Provide direction to the City Manager, as part of the current budget process regarding the Council’s expectations for service levels and thoughts on the most cost effective way to provide those services. Staff responded to questions from Council.

Mayor Hill invited public comment. Speaking from the public were: Jim Guthrie, stated that fire services have improved and no complaints have been received about fire service in Arroyo Grande, suggested two stations and two crews, acknowledged that there are capacity issues, and expressed concern as it relates to maintaining the Mutual Aid Agreements; Patty Welsh, expressed concerns regarding response time as it relates to calls being dispatched, and costs for the City and its partner agencies; Pamela Storton, asked questions related to cost distribution and data, how many calls come from tourists, and if the statistics are considered when calculating the costs; Craig VanderZwaag, commented he would like to see a regional approach for providing modern fire and emergency services; Patricia Price, supported providing the best service possible while keeping the cost affordable, and suggested an option for maintaining two stations; Patrick Ferguson, President of the International Association of Firefighters Local 4403, spoke regarding current staffing issues, requests for service and the variety of calls received, that there is an issue of staff and capacity to provide an acceptable level of service, that the cost for service has grown, the area has developed and must move toward a full staffing model, and responded briefly to questions from Council; Terry Fibich, retired Fire Chief, stated that the top priority is the safety of the community, acknowledged the diminishing sustainability of volunteers, the need for full-time paid staff and that the situation with PERS has made it difficult; and Corki Clark Henderson, representing Friends of the Five Cities Fire Authority, provided background of its formation to assist and raise funds for the Five Cities Fire Authority and encouraged members of the public to learn more by visiting www.friendsof5citiesfire.org. Hearing no further public comments, Mayor Hill closed the public comment period.

Council comments ensued regarding the current cost allocation formula and the need to reevaluate the funding allocation; acknowledgement that the current reserve firefighter model is unsustainable; the need for maintaining response times as set forth in the City’s General Plan; acknowledgement that services provided by CalFire are more expensive; that accurate and solid data is needed for further evaluation of new formulas or cost allocations in order to make sound budget decisions; support for a three person staffing model for Arroyo Grande and that there would need to be more parity in the funding allocation contained in the Joint Powers Agreement;

Council expressed support for maintaining the City’s General Plan policies as it relates to emergency response times; support for transitioning to full-time firefighters and a three (3) person staffing model (Captain, Engineer, and Firefighter on each shift) in Arroyo Grande, however, not under the current funding allocation; and that the existing JPA Agreement needs to be reevaluated and additional data and options must be presented for revising the funding allocations. No formal action was taken on this item.

13. COUNCIL COMMUNICATIONS

Council Member Brown referred to earlier public comment regarding a request to write a letter to the Sanitation District regarding the audit(s), expressed concern about delays and funding impacts for the Redundancy and Recycling Projects until the audits are done, and requested the Council consider directing the City Manager to send a letter. Council Member Harmon concurred. Mayor Pro Tem Ray also noted that the Council had previously discussed inviting Sanitation District staff to make a presentation at a future Council meeting and inquired when that was going to occur. City Manager stated he would follow up with a letter to the Sanitation District regarding completion of the audits and would reach out to Sanitation District staff about having them provide an update to the Council at a future meeting.

Council Member Barneich announced the top five needs this week for the 5Cities Homeless Coalition Warming Center.

Mayor Hill reported that he and Mayor Pro Tem Ray recently attended an Eagle Scout ceremony honoring Trevor Milsheimer, and that he and Council Member Harmon attended the Annual Spring Tea Party.

Council Member Harmon acknowledged the upcoming SCORE workshop, referred to the City's upcoming Bridge Street Bridge project and stated that this workshop might be able to help the businesses that might be impacted due to the project.

Council Member Barneich announced the next free Senior Tech Clinic on March 17th from 10:00 to 11:30 a.m. at the Council Chambers and that there is a need for teens to help provide seniors assistance with their computers, tablets and mobile devices.

14. COMMUNITY COMMENTS AND SUGGESTIONS

Patty Welsh clarified earlier public comment as it relates to the Five Cities Fire Authority, commented that if the Sanitation District audit is pulled from the consultant that is conducting the audit then it would have to start all over, and commented further on issues relating to the Sanitation District; and Patricia Price, commented on issues relating to the Sanitation District and submitted her comments to the Council.

15. CLOSED SESSION

None.

16. ADJOURNMENT

Mayor/Chair Hill adjourned the meeting at 10:51 p.m.

/s/Jim Hill, Mayor/Chair

ATTEST:

/s/Kelly Wetmore, City Clerk/Secretary

(Approved at CC/SA Mtg 04-10-2018)