

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, MARCH 14, 2017 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

1. CALL TO ORDER

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

2. ROLL CALL

City Council: Council Members Caren Ray, Barbara Harmon, Kristen Barneich, Mayor Pro Tem Brown, 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, Recreation Services Director John Rogers, Community Development Director Teresa McClish, Associate Planner Kelly Heffernon, and Public Works Supervisor Shane Taylor.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Terry Orton, representing the Arroyo Grande Lions Club, led the Flag Salute.

5. AGENDA REVIEW

5.a. Closed Session Announcements.

Regular Meeting of February 28, 2017

- a) Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Appeal of CalPERS determination dated January 26, 2017, (CalPERS ID: 4633639204)

City Attorney Whitham announced that the Council met in closed session on February 28, 2017 and no reportable action was taken.

Special Meeting of March 11, 2017

- a) Public Employment pursuant to Government Code Section 54957:
Title: City Manager

Interim City Manager McFall announced that the City Council met in closed session on March 11, 2017 and that the City Council voted unanimously to direct the Interim City Manager and Terri Black & Associates to negotiate an employment agreement with the final candidate for the City Manager position.

5.b. Ordinances Read in Title Only.

Council Member Barneich moved, Council Member Ray 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; John Wysong, expressed concern with the sand pile on Grand Avenue by SESLSOC and Smart and Final and commented that the crosswalks on Oak Park Blvd were hazardous and unsafe; Shirley Gibson, Town of Halcyon, thanked the Council and staff for their work; Ron Holt, Arroyo Grande, spoke in support of Mayor Hill as it relates to the South San Luis Obispo County Sanitation District (SSLOCSD) and stated that hiring Liebert Cassidy Whitmore for conducting an investigation was a mistake; Patricia Price, read a letter from Sharon Brown in support of Mayor Hill and his years of service on the SSLOCSD Board, also spoke personally in support of Mayor Hill, and further requested that public comment at the end of the meeting remain on the agenda in order to comment on closed session items.

8. INTERIM CITY MANAGER REPORT:

Interim City Manager McFall announced the appointment of part-time employee Kory Brooks to a full-time position in the Parks Department, and that on March 18th there will be a clean-up day at Kiwanis Park from 9:00 to 11:00 am.

9. CONSENT AGENDA

City Attorney Whitham read the full title of the Ordinance in Item 9.e. as follows: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING SECTION 12.20.080(B) OF THE ARROYO GRANDE MUNICIPAL CODE RELATING TO DOG PARK RULES AND PROHIBITED ACTIVITIES .”***

Mayor Hill invited public comment on the consent agenda. Speaking from the public was Patty Welsh, who commented on Item 9.e., stating that male dogs over 1 year old must be neutered but that there will not be anyone checking this and suggested that the language in the Ordinance could be tightened up. No further public comments were received.

City Attorney Whitham reviewed and clarified the new dog park rules in the Ordinance.

Action: Mayor Pro Tem Brown moved, and Council Member Ray 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: Brown, Ray, Harmon, Barneich, Hill
NOES: None
ABSENT: None

- 9.a. **Consideration of Cash Disbursement Ratification.**
Action: Ratified the listing of cash disbursements for the period February 16, 2017 through February 28, 2017.
- 9.b. **Consideration of a Resolution to Implement Paying and Reporting of Employer Paid Member Contributions (EPMC) to the California Public Employees' Retirement System (PERS) for Safety Fire Group.**
Action: Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE TO IMPLEMENT THE PAYING AND REPORTING THE VALUE OF THE EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)"**.
- 9.c. **Consideration of Approval of Minutes.**
Action: Approved the minutes of the Regular City Council Meeting of February 28, 2017, as submitted.
- 9.d. **Consideration to Approve an Agreement with the Coastal San Luis Resource Conservation District and an Award of Contract to Christopher Scott Construction for Construction of the Strother Park Rain Garden Project, PW 2017-02.**
Action: 1) Approved the construction plans and specifications for the Strother Park Rain Garden Project, PW 2017-02; 2) Awarded a contract for the Strother Park Rain Garden Project to Christopher Scott Construction in the amount of \$34,955; 3) Authorized the Interim City Manager to approve change orders for 10% of the contract amount, \$3,495 for unanticipated costs during the construction phase of the project; 4) Approved an Agreement with the Coastal San Luis Resource Conservation District to allow the use of Proposition 84 Storm Water Grant funds for the project in an amount not to exceed \$50,000; and 5) Authorized the Mayor to execute the Agreement.
- 9.e. **Consideration of Adoption of an Ordinance Adding New Rules for the Elm Street Off Leash Dog Park.**
Action: Adopted an Ordinance entitled: **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING SECTION 12.20.080(B) OF THE ARROYO GRANDE MUNICIPAL CODE RELATING TO DOG PARK RULES AND PROHIBITED ACTIVITIES"**.

10. PUBLIC HEARINGS

10.a. Consideration of Community Development Block Grant Projects for Year 2017 and Arroyo Grande Community Service Grant Program Allocations

Community Development Director McClish introduced the item and Associate Planner Heffernon presented the staff report and recommended that the Council: 1) Adopt a Resolution approving projects to be funded with the City's allocation of CDBG funds for the Year 2017; and 2) Adopt a Resolution approving projects to be funded with the City's Community Service Grant Program funds. Staff responded to questions from Council.

Mayor Hill invited public comment. Speaking from the public were: Bob Kerwin, representing the SLO Chapter of SCORE, who provided a background of services and thanked the Council for their support and consideration of funding; Susan Graves, representing CASA, spoke of a success story of a local 8 year old boy who was matched to a CASA volunteer and received help and was subsequently adopted by relatives and expressed appreciation for the funding; Mike Drees, representing South County Historical Society, stated he understands why funding

was not recommended for the Historical Society, that the City is making the right choice, and that the Historical Society could still benefit from any funding or donations; Larry Vernon, representing 5 Cities Homeless Coalition, provided an overview of services provided to Arroyo Grande, its citizens and families, and presented Council Member Barneich with a Board Member name badge; Tatiana, representing Big Brother Big Sister, thanked the Council for the past grant funding and spoke the organization's benefits for youth in the community.

Council questions and comments ensued regarding the City's administrative costs; support for City ADA improvements; proposed renaming of the Community Service Grant Program in honor of former Council Member Jim Guthrie who recommended creation and approval of the Program; transferring funds from the Administrative category to the Public Facilities category for ADA improvement projects; and a suggestion to write a letter to County requesting that they use a portion of their administrative funds to support the homeless in the County.

Action: Council Member Ray moved to 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 2017"***, as modified to reduce the City's administrative costs by \$1,500 and to reallocate those funds to the Public Facilities category for Removal of Architectural Barriers. Council Member Brown seconded, and the motion passed on the following roll call vote:

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

Council Member Barneich stated that she would abstain from voting on the Community Services Grant Program due to a potential conflict of interest relating to her position as a Board Member for the 5 Cities Homeless Coalition.

Action: Council Member Ray moved to adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING COMMUNITY SERVICE GRANT PROGRAM PROJECTS FOR YEAR 2017"***, and, further, to modify the name of the program to the "Jim Guthrie Community Services Program". Council Member Harmon seconded the motion.

Council Member Ray withdrew the motion to allow Council Member Harmon to make the motion.

Action: Council Member Harmon moved to adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING COMMUNITY SERVICE GRANT PROGRAM PROJECTS FOR YEAR 2017"***, and, further, to rename the program to be the "Jim Guthrie Community Services Program". Council Member Ray seconded, and the motion passed on the following roll call vote:

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

11. OLD BUSINESS

None.

12. NEW BUSINESS

12.a. Consideration of Options for Compliance with the Sustainable Groundwater Management Act of 2014.

Community Development Director McClish presented the staff report and recommended that the City Council schedule a Public Hearing to form a Groundwater Sustainability Agency (GSA) over the non-adjudicated portion of the Santa Maria Groundwater Basin within the Arroyo Grande City limits and to work with the other GSAs formed in the fringe areas of the Santa Maria Groundwater Basin to prepare a Memorandum of Agreement to manage the subject groundwater basin in compliance with the Sustainable Groundwater Management Act of 2014 (SGMA).

Carolyn Berg, County of San Luis Obispo, provided an overview of the new State law regarding local management of priority groundwater basins, provided general information regarding the roles and responsibilities of SGMA, reviewed the Santa Maria Groundwater Basin Boundary Map, and reviewed the non-adjudicated portion of the Santa Maria Ground Basin within the Arroyo Grande City limits.

Community Development Director McClish proceeded with an expanded overview of the non-adjudicated portion of the Santa Maria Groundwater Basin within the City of Arroyo Grande limit, and reviewed the Governance Model options. Staff responded to questions from Council.

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

Action: Council Member Ray moved to schedule a Public Hearing to form a Groundwater Sustainability Agency (GSA) over the non-adjudicated portion of the Santa Maria Groundwater Basin within the Arroyo Grande City limits and to work with the other GSAs formed in the fringe areas of the Santa Maria Groundwater Basin to prepare a Memorandum of Agreement to manage the subject groundwater basin in compliance with the Sustainable Groundwater Management Act of 2014. Mayor Hill seconded, and the motion passed on the following roll call vote:

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

13. COUNCIL COMMUNICATIONS

Council Member Ray reminded the public of the clean-up day in Kiwanis Park on Saturday.

14. COMMUNITY COMMENTS AND SUGGESTIONS

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

15. CLOSED SESSION

At 8:43 p.m., City Attorney Heather Whitham announced that the City Council would adjourn to closed session to consider the following item:

- a) **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** pursuant to Government Code Section 54956.9(d)(1):
Name of Case: Appeal of CalPERS determination dated January 26, 2017,
(CalPERS ID: 4633639204)

Adjourned to closed session.

16. RECONVENE TO OPEN SESSION:

At 9:56 p.m., the Council reconvened to open session. City Attorney Whitham announced that there was no reportable action.

ADJOURNMENT

Mayor Hill adjourned the Special Meeting at 9:57 p.m.

/s/Jim Hill, Mayor

ATTEST:

/s/Kelly Wetmore, City Clerk

(Approved at CC Mtg 03-28-2017)