

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, MARCH 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 Kristen Barneich, Barbara Harmon, Mayor Pro Tem Caren Ray, and Mayor Jim Hill were present. Council Member Tim Brown was absent.

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, Director of Community Development Teresa McClish, and Planning Manager Matt Downing.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Members of Cub Scout Pack 13, Los Padres Council of Boy Scouts of America, 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 public hearing item.

5.a. Closed Session Announcements:

None.

5.b. Ordinances Read in Title Only.

Council Member Barneich moved, Council Member Harmon 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

6.a. Honorary Proclamation Declaring April 2018 as “Month of the Child” and “Child Abuse Prevention Month” and April 7, 2018 as “Day of the Child”.

Mayor Hill presented an Honorary Proclamation declaring April 2018 as “Month of the Child” and “Child Abuse Prevention Month” and April 7, 2018 as “Month of the Child”. Maddy Quaglino, Director of United Methodist Church Children’s Center, accepted the Proclamation and announced upcoming events to be held during Month of the Child.

7. CITIZENS’ INPUT, COMMENTS, AND SUGGESTIONS

Mayor Hill invited public comment. Speaking from the public were: Linda Osty, who offered an invocation; Val Delaney, commented on problems with parking in the Village, expressed concern about the lack of parking enforcement and suggested that Neighborhood Services staff spend a couple of days a week on parking enforcement; Patty Welsh, commented that the

Police Department is enforcing parking restrictions as she recently received a parking ticket, and also commented on an article written about the drought and water restrictions in Cape Town, Africa; Robert Olson, commented on the loss of a friend, Terry Cagan, who was an Arroyo Grande Police Volunteer, and recognized him for his role as Lead Volunteer and commended him for his contributions to the Police Department and the community. No further public comments were received. Mayor Pro Tem Ray requested the meeting be adjourned in Mr. Cagan's honor.

8. CITY MANAGER/DIRECTOR REPORT

City Manager Bergman reported that the City received a letter from the 5Cities Homeless Coalition with a funding request for the warming shelter and that he would place the request on a future agenda for consideration; reported that a letter had been received from the Coalition of Cities requesting a letter in support of Senate Bill (SB) 1090 and stated that due to its time sensitive nature, he would prepare a letter for the Mayor Pro Tem's signature based on prior Council direction; and then provided an update on public outreach efforts made regarding development of the Fiscal Year 2018-20 Budget and presented a brief video produced in-house by City staff that will be posted on the City's government access channel, website, and social media platforms.

9. CONSENT AGENDA

Council Member Harmon requested that Items 9.e. and 9.g. be pulled.

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

Action: Council Member Barneich moved to approve Consent Agenda items 9.a. through 9.f., with the exception of items 9.e. and 9.g., with the recommended courses of action. Mayor Pro Tem Ray seconded, and the motion passed on the following roll-call vote:

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

9.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period March 1, 2018 through March 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 February 28, 2018, as required by Government Code Section 53646(b).

9.c. Monthly Water Supply and Demand Update.

Action: Received and filed the Monthly Water Supply and Demand Report for February 2018.

9.d. Consideration of the 2017 General Plan Annual Report.

Recommended Action: Reviewed and accepted the 2017 General Plan Annual Report and directed staff to forward the report to the Governor's Office of Planning and Research.

9.f. Consideration of Approval of Amendment to an Agreement for Consultant Services with Wood Rodgers for the US 101/Brisco Interchange Project.

Recommended Action: Approved and authorized the Mayor to execute Amendment No. 14 to the Consultant Services Agreement with Wood Rodgers, Inc. to complete the PA&ED Phase and move the project from the Draft to Final. The compensation amount of Amendment No. 14 is not to exceed \$108,500.

ITEMS PULLED FROM THE CONSENT AGENDA

9.g. Consideration of Adoption 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).

Recommended Action: Adopt 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.

City Attorney Whitham read the full title of the Ordinance as follows: ***“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”***.

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

AYES: Barneich, Ray, Hill
NOES: Harmon
ABSENT: Brown

9.e. Consideration of Temporary Use Permit No. 17-024; Authorization to Use City Property and Close City Streets for the Annual Arroyo Grande Strawberry Festival and Stampede on May 26 and 27, 2018; Applicant – Arroyo Grande Village Improvement Association.

Recommended Action: Adopt a Resolution approving Temporary Use Permit 17-024 which includes waiving costs for City services during the Strawberry Festival.

Council asked questions of staff and the applicant regarding the request for City sponsorship of the event, increased event costs and staff costs associated with the event, and street closures as is relates to maintaining emergency access.

Bob Lund, Village Improvement Association, spoke about the groups that volunteer during the event on behalf of their own organizations in which the Village Improvement Association reimburses them, and responded to questions from Council regarding increased costs for the event and how revenue received from the event benefits the City.

Mayor Hill invited public comment. Speaking from the public was Patty Welsh, expressed concerns, commenting that the City is faced with cutting services and stated that the Grizzly Academy may be able to provide volunteer services for the event. Hearing no further public comments, Mayor Hill closed the public comment period.

Council comments ensued concerning the request for City sponsorship of the event, waiving reimbursement of personnel costs the City incurs to conduct the event, and setting a precedent for other events that may be held in the City.

Action: Council Member Harmon moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT NO. 17-024; AUTHORIZING THE USE OF CITY PROPERTY AND CLOSURE OF CITY STREETS FOR THE ANNUAL ARROYO GRANDE STRAWBERRY FESTIVAL AND STAMPEDE ON MAY 26 AND 27, 2018; APPLIED FOR BY THE ARROYO GRANDE VILLAGE IMPROVEMENT ASSOCIATION”**, as modified to add the following recital, *“WHEREAS, the members of the AGVIA will be responsible for costs associated with traffic control, cleanup, and payment of all related fees and costs for use of City property and City employee time related to the event.”* Mayor Pro Tem Ray seconded, and the motion passed on the following roll-call vote:

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

The next agenda item was heard out of order.

12. NEW BUSINESS

12.a. Consideration of Approval of the Request for Proposals (RFP) for Tourism Marketing Services.

City Manager Bergman presented the staff report and recommended that the Council review and approve the distribution of the RFP for tourism marketing services.

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

Action: Mayor Pro Tem Ray moved to approve the distribution of the RFP for tourism marketing services. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

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

10. PUBLIC HEARINGS

10.a. Consideration of Lot Merger 16-001; Conditional Use Permit 16-008; and Mitigated Negative Declaration; Construction of an Approximately 2,650 Square-Foot Fast-Food Restaurant with Drive-Thru; Location – 727 El Camino Real (Western Corner of El Camino Real, Faeh Avenue, and Bell Street); Applicant – ELA Foods, Inc.; Representative – Oasis Associates.

Community Development Director McClish provided introductory comments. Planning Manager Downing presented the staff report and recommended that the Council adopt a Resolution adopting the Mitigated Negative Declaration and approving Lot Merger 16-001 and Conditional Use Permit 16-008.

Joe Weiland, Omni-Means Traffic Consultant, responded to questions from Council regarding spacing of traffic signals, ingress and egress locations, and condition 108 regarding study of potential traffic calming measures within one year of operation of the project.

Carol Florence, Oasis Associates, representative for the applicant, introduced Nora Sanchez, Operations Manager from Popeye's, who spoke about Popeye's being a family owned business. Ms. Florence provided a presentation of the proposed project and requested the Council approve the project as presented and responded to questions from Council.

Mayor Hill opened the public hearing. Speaking from the public were: David Aguallo, spoke in opposition to the proposed project, stated he would like to see a different business that would bring more revenue to the City, and expressed concern with increased traffic impacts; Richard Bell, spoke in opposition to the proposed project and expressed concerns with the proposed fencing materials and increased traffic impacts; Val Delaney, spoke in opposition to the project and expressed concerns with increased traffic impacts; Patty Welsh, spoke in opposition to the proposed project, and expressed concern with truck delivery hours, decline in property values, ingress/egress issues, traffic, lighting, and noise impacts next to the adjacent residential neighborhood; Molly Younger, spoke in opposition to the proposed project and expressed concerns regarding lighting, traffic, signage, and stated that this business would not generate much revenue; Chris Wheeler, spoke in opposition to the proposed project and expressed concern regarding traffic and lighting impacts, parking, and decline in property values; Terry Tardiff, spoke in opposition to the proposed project, and expressed concern regarding safety, ingress/egress issues, and a decline in property values; Lori Hunsted, spoke in opposition of the proposed project, and stated that this project is not the right fit for the proposed site and that a hotel would bring in more revenue; Matt Vasquez, spoke in opposition to the proposed project, and expressed concerns as it relates to safety of the neighborhood, traffic impacts, the small amount of revenue that will be received, and loss of property values; Elliott Drager, spoke in opposition to the proposed project and expressed concerns relating to traffic and the vision as a whole for this property; Shirley Gibson, would like to see the owner come back with a comprehensive plan for the entire property and opposed the drive-thru; and Speaker (did not state name), spoke in opposition to the proposed project and expressed concerns regarding the drive-thru, traffic issues, ingress/egress, and aesthetics. Hearing no further public comments, Mayor Hill closed the public hearing.

Council comments and discussion ensued concerning the proposed project as it relates to signage, position of the building, impacts to circulation as it relates to ingress/egress to and from the site, intensity of the proposed drive-thru use, traffic, and noise impacts in proximity to the adjacent residential neighborhood, suitability and compatibility of the proposed use at this location, and that the project is inconsistent with the City's General Plan Land Use policies LU5-6, LU5-8 and Economic Development policy ED-5.

Action: Mayor Pro Tem Ray moved to take tentative action to deny the project and to direct staff to return at the next meeting with an appropriate Resolution that includes the Council's specific findings for denial of the project. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

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

11. OLD BUSINESS

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 that on May 1, 2018, from 5:00 to 9:00pm, Fin's Restaurant will be hosting a fundraiser to benefit the 5Cities Homeless Coalition.

Mayor Hill announced that the Annual Spring Egg Hunt will be held at the Elm Street Park on Saturday.

15. COMMUNITY COMMENTS AND SUGGESTIONS

Richard Kubel commended the Council for their work and expressed his support of the City Manager.

16. CLOSED SESSION

None.

17. ADJOURNMENT

Mayor Hill adjourned the meeting at 9:57 p.m. in honor and memory of Terry Cagan.

/s/Jim Hill, Mayor

ATTEST:

/s/Kelly Wetmore, City Clerk

(Approved at CC Mtg 04-10-2018)