

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, JUNE 26, 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 Barbara Harmon, Kristen Barneich, Tim Brown, 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 Administrative Services Debbie Malicoat, Director of Public Works Bill Robeson, Director of Community Development Teresa McClish, Chief of Police Beau Pryor, Interim Director of Recreation Services Sheridan Bohlken, and Associate Planner Kelly Heffernon.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Nancy Depue, representing Arroyo Grande Rotary Club, led the Flag Salute.

5. AGENDA REVIEW

5.a. Closed Session Announcements:

None.

5.b. Ordinances Read in Title Only.

Council Member Barneich moved, Council Member Brown 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. Introduction and Oath of Office – Police Officer Timothy Ramirez.

Police Chief Pryor introduced Police Officer Timothy Ramirez, highlighted his educational and professional background, and facilitated the badge pinning ceremony. City Clerk Wetmore administered the Oath of Office to Officer Ramirez.

6.b. Honorary Proclamation Declaring July 2018 as “Parks Make Lives Better” Month.

Mayor Hill presented an Honorary Proclamation declaring July 2018 as “Parks Make Lives Better” Month. Sheridan Bohlken, Recreation Services Director, accepted the Proclamation.

6.c. Presentation Regarding Progress of Climate Action Plan Implementation.

Teresa McClish, Community Development Director, introduced Chris Turner, Permit Technician, who gave a presentation on the progress of the Climate Action Plan Implementation and responded to questions from Council.

7. CITIZENS' INPUT, COMMENTS, AND SUGGESTIONS

Mayor Hill invited public comment. Speaking from the public were: Linda Osty, who offered an invocation; Bob Blair, provided an update on the adjudicated water basin and supplemental water that is being brought into Nipomo, expressed concerns about the money being spent on litigation, and requested the area City Managers contact the Nipomo Community Services District General Manager to resolve the issues; Robert Olson, commented on the Climate Action Plan presentation; and Patty Welsh, expressed concern about her efforts in trying to bring concerns to the Traffic Commission without any success regarding the line of sight problem on Huasna Road. No further public comments were received.

8. CITY MANAGER/DIRECTOR REPORTS

City Manager Bergman announced new City Hall hours starting July 6th to close City Hall on Fridays to allow uninterrupted time for staff to complete work, noted that staff will be looking into a drop box for plans or other items to be dropped off, stated that this effort is part of the actions to implement the budget and create a sustainable financial situation in the face of rising expenditures, noted the new City Hall posted hours would be Monday through Thursday, 8:00 am to 5:00 pm, closed on Friday, and the closure would not affect the Public Works, Police or Recreation Services Departments. He also announced that City staff is parking off-site and that the City Hall parking lot is now designated for public parking; and lastly, he reported that the final actions for refinancing the Successor Agency's previous Redevelopment Agency bonds resulted in an increase to the City's bond rating, will save \$70,000 in interest equating to \$1.4 million over 20 years, and reduce the principal by approximately \$5,000.

9. CONSENT AGENDA

Mayor Pro Tem Ray requested that Item 9.d. be pulled. Council Member Barneich requested that Item 9.e. be pulled and also complimented Utilities Manager Taylor on the new bar graph in the Monthly Water Supply and Demand report (Item 9.f.).

Mayor Hill invited public comment on the remaining items. 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.d. and 9.e., with the recommended courses of action. Council Member Brown seconded, and 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 June 1, 2018 through June 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 May 31, 2018, as required by Government Code Section 53646(b).

9.c. Consideration of Termination of Fire Dispatching Agreement with the City of Grover Beach.

Action: Waived the ninety-day notice requirement and agreed to terminate the current agreement with the City of Grover Beach for Fire, Rescue, and Emergency Medical Aid Dispatching, effective June 30, 2018.

9.f. Monthly Water Supply and Demand Update.

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

ITEMS PULLED FROM THE CONSENT AGENDA

Prior to consideration of Item 9.d., Assistant City Attorney Hirsch reported, pursuant to Government Code Section 54953, that this item includes a recommendation to increase the City Manager, Department Director and other certain management employees' salaries by 2% beginning July 13, 2018 and another 2% beginning July 12, 2018, and that it also includes an increase in the contribution toward health insurance.

9.d. Consideration of Resolutions Establishing Salary and Benefits for Management for FY 2018-19 and 2019-20 and Part-Time Employees for FY 2018-19.

Recommended Action: 1) Adopt a Resolution modifying pay rates and benefits for unrepresented management employees; and 2) Adopt a Resolution modifying pay rates and benefits for unrepresented part-time employees.

In response to questions by Mayor Pro Tem Ray, Director Malicoat confirmed that the proposed modifications are for the unrepresented employees and is commensurate with what the other employees across the organization received, and that the funding is included in the recently adopted FY 2018-20 Biennial Budget.

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

Action: Mayor Pro Tem Ray moved to adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ESTABLISHING WAGES AND BENEFITS FOR MANAGEMENT EMPLOYEES FOR FISCAL YEARS 2018-19 AND 2019-20"***; and 2) Adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING COMPENSATION ADJUSTMENTS FOR PART-TIME EMPLOYEES"***. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

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

9.e. Consideration of a Resolution Amending the Existing Pledge to Follow Best Practices of Civility and Civil Discourse in Order to Include a Regional Code of Civility.

Recommended Action: Adopt a Resolution amending the existing pledge to follow best practices of civility and civil discourse in all of its meetings.

Council Member Barneich suggested that the Resolution include the City Commission, Committee, and Board Members. Council Member Harmon suggested, and Mayor Hill concurred, that the Resolution be included in new Commissioner training.

Mayor Hill invited public comment. Speaking from the public were: Sharon Kimball and Deb Humphreys, League of Women Voters of San Luis Obispo County, in support of the proposed Resolution to adopt a Regional Code of Civility. No further public comments were received. Based on Council comments, City Manager Bergman suggested that he send a memorandum to

all commissions and advisory boards regarding the Council's leadership in civil discourse and its commitment to the Pledge, ask them to review and adopt the Pledge as a body, and to implement a policy to present the Civility Pledge to all newly appointed commissioners as part of their training.

Action: Mayor Hill moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING THE EXISTING PLEDGE TO FOLLOW BEST PRACTICES OF CIVILITY AND CIVIL DISCOURSE IN ALL MEETINGS”** as modified to include City Commission, Committee, and Board Members. Council Member Harmon seconded, and the motion passed on the following roll-call vote:

AYES: Hill, Harmon, Brown, Barneich, Ray

NOES: None

ABSENT: None

10. PUBLIC HEARINGS

10.a. Consideration of Resolutions Directing the Levy of the Annual Assessments for the Parkside Village Assessment District, Grace Lane Assessment District and Landscaping and Lighting District No. 1, within Tract 1769, for Fiscal Year 2018-2019.

City Manager Bergman introduced the item and provided background on the item. Public Works Director Robeson presented the staff report and recommended that the Council: 1) Conduct a public hearing for the levy and collection of assessments for the Parkside Village Assessment District, Grace Lane Assessment District, and Landscaping and Lighting Assessment District No. 1, within Tract 1769; 2) Adopt a Resolution directing the levy of the annual assessment for the Parkside Village Assessment District pursuant to the Landscaping and Lighting Act of 1972 (Streets and Highways Code Sections 22500 et. seq.) for Fiscal Year 2018-2019; 3) Adopt a Resolution directing the levy of the annual assessment for the Grace Lane Assessment District pursuant to the Landscaping and Lighting Act of 1972 (Streets and Highways Code Sections 22500 et. seq.) for Fiscal Year 2018-2019; and 4) Adopt a Resolution directing the levy of the annual assessment for the Landscaping and Lighting Assessment District No. 1 pursuant to the Landscaping and Lighting Act of 1972 (Streets and Highways Code Sections 22500 et. seq.) within Tract 1769, for Fiscal Year 2018-2019. Staff responded to questions from Council.

Mayor Hill declared a conflict of interest due to ownership of real property in the Grace Lane neighborhood and stated he would recuse himself from discussing and voting on that portion of the item.

Mayor Hill opened the public hearing. Speaking from the public was: Bob, Grace Lane resident, commented on how the assessment is used for fire control of the open space area, noted that the money that they are paying into the District is benefiting the property owners on Rodeo Drive, and asked how much money has been accumulated and how much has been spent since the Assessment District has been formed. 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 DIRECTING THE LEVY of the ANNUAL ASSESSMENTS RELATED TO THE PARKSIDE VILLAGE ASSESSMENT DISTRICT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (STREETS AND HIGHWAYS CODE SECTIONS 22500 ET. SEQ.) FOR FISCAL YEAR 2018-2019”**; and 2) Adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE Directing the LEVY of the ANNUAL ASSESSMENTS RELATED TO THE ARROYO GRANDE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1, WITHIN TRACT 1769, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (STREETS AND HIGHWAYS CODE SECTIONS 22500 ET. SEQ.) FOR FISCAL YEAR 2018-2019”**. Council Member Brown seconded, and the motion passed on the following roll-call vote:

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

Action: Council Member Harmon moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DIRECTING THE LEVY OF THE ANNUAL ASSESSMENTS RELATED TO THE GRACE LANE ASSESSMENT DISTRICT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (STREETS AND HIGHWAYS CODE SECTIONS 22500 ET. SEQ.) FOR FISCAL YEAR 2018-2019”**. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

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

10.b. Consideration of a Resolution Updating Operating Fees Set Forth in the Master Fee Schedule.

Administrative Services Director Malicoat presented the staff report and recommended that the Council adopt a Resolution updating operating fees set forth in the Master Fee Schedule, effective August 27, 2018. Staff responded to questions from Council.

Mayor Hill opened the public hearing. Hearing no public comments, Mayor Hill closed the public hearing.

Action: Council Member Harmon moved to adopt a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE UPDATING OPERATING FEES SET FORTH IN THE MASTER FEE SCHEDULE”**. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

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

11. OLD BUSINESS

None.

12. NEW BUSINESS

12.a. Consideration of an Ordinance Amending Section 2.44.020 (Personnel Officer – Powers and Duties) of the Arroyo Grande Municipal Code.

Administrative Services Director Malicoat presented the staff report and recommended that the Council introduce an Ordinance amending Section 2.44.020 of Title 2 of the Arroyo Grande Municipal Code relating to preparation of position classification plans by the Personnel Officer.

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

Assistant City Attorney Hirsch read the full title of the Ordinance as follows: ***“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING SECTION 2.44.020 OF TITLE 2 OF THE ARROYO GRANDE MUNICIPAL CODE RELATING TO PREPARATION OF POSITION CLASSIFICATION PLANS BY THE PERSONNEL OFFICER”.***

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

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

12.b. Consideration of Second Amendment to Agreement with Habitat for Humanity to Contribute up to \$100,000 of the City’s In-Lieu Affordable Housing Funds to Cover City Tentative Tract Map Application Fees and Other City Permit Fees for a Very Low Income Housing Project to Subdivide a 0.50-Acre Site into Eight (8) Lots; Location – 184 Brisco Road; Applicant – Habitat for Humanity for San Luis Obispo County.

Community Development Director McClish provided introductory comments. Associate Planner Heffernon presented the staff report and recommended that the Council approve a Second Amendment to the Affordable Housing Agreement contributing up to \$110,000 of the City’s In-Lieu Affordable Housing Funds to be used to pay City related fees for the 184 Brisco Road project. Staff responded to questions from Council.

Mayor Hill invited public comment. Speaking from the public was Scott Stokes, representing Habitat for Humanity, who responded to questions from Council and clarified qualifications for potential homebuyers. No further public comments were received.

Action: Mayor Pro Tem Ray moved to approve a Second Amendment to the Affordable Housing Agreement contributing up to \$110,776.16 of the City’s In-Lieu Affordable Housing Funds to be used to pay City related fees for the 184 Brisco Road project. Mayor Hill seconded, and the motion passed on the following roll-call vote:

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

12.c. Research Related to the Placement of Advisory Measure(s) on the Ballot During an Election.

City Manager Bergman presented the staff report and recommended that the Council provide direction to staff on whether or not to proceed with consideration of advisory measure(s) on the topic of commercial cannabis to appear on the November 2018 General Municipal Election ballot. Staff responded to questions from Council.

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

Council discussion ensued against moving forward to place advisory measures regarding cannabis activities on the November ballot as there was not sufficient time to sufficiently prepare something meaningful for the voters to consider; that the City should wait until the State stabilizes its cannabis regulations, that the City Council should be focused on currently established priorities, that there is no harm in waiting, that last year the Council decided against allowing commercial cannabis businesses in the City, and that it could be more beneficial to wait for a Presidential election when there is better voter turnout.

No formal action was taken on this item.

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

Mayor Hill reported that the Fair Political Practices Commission (FPPC) sent a response to his request regarding his ability to participate in the Brisco Road Interchange project and they have determined he has a conflict of interest; therefore, he will be recusing himself from any decisions related to the project.

Council Member Brown requested that City Manager Bergman follow up on the Family Care Network remodel project to see if they can invite the Council to come and see the facility.

In response to a question by Mayor Pro Tem Ray, City Manager Bergman clarified staff's effort to provide a drop box at City Hall for customers to drop off plans and documents during Friday closures. Mayor Pro Tem Ray requested an update be provided at the next meeting.

In response to a question by Council Member Barneich regarding the line of sight issue on Hwy 227 at Gularte Road, City Manager Bergman stated the Staff Advisory Committee would be reviewing the issue to determine a solution.

15. COMMUNITY COMMENTS AND SUGGESTIONS

None.

16. CLOSED SESSION

None.

17. ADJOURNMENT

Mayor Hill adjourned the meeting at 9:41 p.m.

/s/Jim Hill, Mayor

ATTEST:

/s/Kelly Wetmore, City Clerk

(Approved at CC Mtg 07-24-2018)