



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

February 27, 2024, 6:00 p.m.
Hybrid City Council Chamber/Virtual Zoom Meeting
215 East Branch Street, Arroyo Grande

Council Members Present:	Mayor Ray Russom, Mayor Pro Tem Guthrie, Council Member Barneich, Council Member George, Council Member Secrest
Staff Present:	City Clerk Jessica Matson, City Attorney Isaac Rosen, City Manager Matthew Downing, Assistant City Manager/Public Works Director Bill Robeson, Community Development Director Brian Pedrotti, Administrative Services Director Nicole Valentine, Utilities Manager Shane Taylor, City Engineer Shannon Sweeney

This meeting was conducted in a hybrid in-person/virtual format.

1. CALL TO ORDER

Mayor Ray Russom called the Regular City Council Meeting to order at 6:00 p.m.

2. ROLL CALL

City Clerk Matson took roll call.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Mayor Ray Russom led the flag salute.

5. AGENDA REVIEW

5.a Closed Session Announcements

The City Attorney will announce any reportable action for the following meeting:

February 13, 2024

a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE
SECTION 54956.8:

Property: 214 East Branch Street

Agency Negotiators: Matthew Downing, City Manager; Bill Robeson, Assistant City Manager/Public Works Director

City Attorney Rosen announced that Closed Session was adjourned at 9:54 p.m. and there was no reportable action.

5.b Ordinances read in title only

Moved by Mayor Ray Russom
Seconded by Council Member Barneich

Move that all ordinances presented at the meeting shall be read by title only and all further readings be waived.

AYES (5): Mayor Ray Russom, Council Member Barneich, Council Member George, Mayor Pro Tem Guthrie, and Council Member Secrest

Passed (5 to 0)

6. SPECIAL PRESENTATIONS

6.a Honorary Proclamation Recognizing March 2024 as Women's History Month

Mayor Ray Russom read the Honorary Proclamation Recognizing March 2024 as Women's History Month. Linda Kime and Kathie La Martina, South County Historical Society, accepted the proclamation.

Mayor Ray Russom invited public comment. No public comments were received.

No action was taken on this item.

6.b City Manager Communications

City Manager Downing provided information regarding Meet the Machines event, Bunny Grams available for delivery within the Five Cities; City Council and Planning Commission meetings now streamed live through the City's YouTube Channel; City's survey mailer, new Police Officer Timothy Wilson, Interim FCFA Chief Keith Aggson, and announced that the City received the Meritorious award for the FY 2023-25 Biennial Budget document from CSMFO (CA Society of Municipal Finance Officers).

Mayor Ray Russom invited public comment. No public comments were received.

No action was taken on this item.

7. CITY COUNCIL REPORTS

The City Council provided brief reports from the following committee, commission, board, or other subcommittee meetings that they attended as the City's appointed representative.

7.a MAYOR RAY RUSSOM:

1. California Joint Powers Insurance Authority (CJPIA)

2. Central Coast Blue Regional Recycled Water Authority Board
3. Five Cities Fire Authority
4. San Luis Obispo County Mayor's Meeting
5. South San Luis Obispo County Sanitation District (SSLOCSD)
6. Other

7.b MAYOR PRO TEM GUTHRIE:

1. County Water Resources Advisory Committee (WRAC)
2. Council of Governments/Regional Transit Authority/ South County Transit (SLOCOG/SLORTA/SCT)
3. Integrated Waste Management Authority Board (IWMA)
4. REACH Economic Development Roundtable
5. Other

7.c COUNCIL MEMBER BARNEICH:

1. Audit Committee
2. Homeless Services Oversight Council (HSOC)
3. Zone 3 Water Advisory Board
4. Other

7.d COUNCIL MEMBER GEORGE:

1. Five Cities Fire Authority
2. Visit SLO CAL Advisory Board
3. Other

7.e COUNCIL MEMBER SECREST:

1. Air Pollution Control District (APCD)
2. South County Chambers of Commerce Governmental Affairs Committee
3. Other

8. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Ray Russom invited public comment. Speaking from the public was Carolyn Roof, Robert Franzen, and Renee Delfino. No further public comments were received.

9. CONSENT AGENDA

Mayor Ray Russom asked the Council if there were any questions or any items to be pulled from the consent agenda for further discussion.

Mayor Ray Russom invited public comment. No public comments were received.

Moved by Council Member Barneich
Seconded by Council Member George

Approve Consent Agenda Items 9.a. through 9.f., with the recommended courses of action.

AYES (5): Council Member Barneich, Council Member George, Council Member Secrest, Mayor Pro Tem Guthrie, and Mayor Ray Russom

Passed (5 to 0)

9.a Consideration of Cash Disbursement Ratification

- 1) Ratified the attached listing of cash disbursements for the period of January 16 through January 31, 2024;
- 2) Determined that ratifying the cash disbursements is not a project subject to the California Environmental Quality Act ("CEQA") because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.)

9.b Consideration of Fiscal Year 2023-24 Second Quarter Status Report and Request to Approve Six Budget Adjustment Requests

Considered, received, and filed the FY 2023-24 Second Quarter Report; and approved six Budget Adjustment Requests.

9.c Consideration of Adoption of an Ordinance Amending Section 3.36.030 of the Arroyo Grande Municipal Code Regarding Development Impact Fees

- 1) Adopted an Ordinance entitled: ***"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING SECTION 3.36.030 OF THE ARROYO GRANDE MUNICIPAL CODE REGARDING DEVELOPMENT IMPACT FEES AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT;"*** and 2) Found that the Ordinance does not qualify as a project under the California Environmental Quality Act (CEQA) because the Ordinance has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment (State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3)).

9.d Approval of Minutes

Approved the minutes of the Regular City Council Meeting of February 13, 2024, as submitted.

9.e Consideration of Adoption of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code Regarding the Definition of Formula Business

- 1) Adopted an Ordinance entitled: ***"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING SECTION 16.04.070 OF THE ARROYO GRANDE MUNICIPAL CODE REGARDING THE DEFINITION OF FORMULA BUSINESS AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT;"*** and 2) Found that the Ordinance is exempt from the California Environmental Quality Act

(CEQA) because the Ordinance does not qualify as a “project” under CEQA and because the Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment. (State CEQA Guidelines section 15060, subd. (c)(2), (3), section 15378).

9.f Monthly Water Supply and Demand

Received and filed the Monthly Water Supply and Demand Update.

10. PUBLIC HEARINGS

10.a Conduct Public Hearing and Consider a Resolution Denying the Installation of One (1) Domestic Well on Property Zoned Planned Development (PD); Applicant–Michael Harris; Representative–Richard Burde, SLO Civil Design and Marsha Burch, Attorney at Law

Council Member George recused herself due to living within 446 ft. from the subject property and in order to avoid the appearance of impropriety and left the meeting.

City Attorney Rosen announced that the City received 1,500 pages of material before the posting deadline, a supplemental memo was issued to Council and staff prior to the meeting, and that City Council may consider continuing the item or hearing the item, as presented.

Council Member Secrest announced ex-parte communications with the applicant, Mr. Harris.

Mayor Ray Russom announced the process for the hearing.

Community Development Director Pedrotti presented the staff report. Director Pedrotti, City Manager Downing, City Attorney Rosen, and Utilities Manager Taylor responded to questions from Council.

Applicant, Michael Harris, provided comment. Mr. Harris responded to questions from Council. Director Pedrotti responded to questions from the applicant. City Attorney Rosen clarified regarding public records request productions.

Staff responded to further questions from Council.

Mayor Ray Russom opened the public hearing. Speaking from the public were Dean Berto, Lynn, Pam Berto, No Name Provided, Richard Burde, and Alexandria. Upon hearing no further public comments, Mayor Ray Russom closed the public hearing. Director Pedrotti responded to questions from the public.

Council discussion ensued regarding continuing the hearing to a date certain given the submission of additional materials by the applicant.

Moved by Mayor Ray Russom
Seconded by Council Member Barneich

Continue to a date certain of March 26, 2024 for the purposes of continuation of Council deliberation. If it is determined, based on review of the documents issued in the supplemental report, that new relevant information is revealed, public comment will be re-opened, and if no significant information is presented, only Council deliberation will take place.

AYES (4): Mayor Ray Russom, Council Member Barneich, Council Member Secrest, and Mayor Pro Tem Guthrie

ABSENT (1): Council Member George

Passed (4 to 0)

11. OLD BUSINESS

11.a Update on City Council Goals and Priorities

Mayor Ray Russom called for a brief break at 8:19 p.m. The Council reconvened at 8:25 p.m.

Council Member George returned to the meeting.

City Manager Downing presented the report and responded to questions from Council.

Mayor Ray Russom commented on the budget award received. Administrative Services Director Valentine responded to questions from Council.

Mayor Ray Russom invited public comment. Speaking from the public was No Name Provided. No further public comments were received.

Council commended staff for the budget award and accomplishment of many of the goals. Mayor Ray Russom suggested staff add a section to the next report regarding what other items staff have completed, outside of the defined goals and priorities.

No action was taken. This item was received and filed.

12. NEW BUSINESS

None.

13. COUNCIL COMMUNICATIONS

Council Member George thanked the City for the \$9,500 grant for the Center for Child and Adolescent Mental Health.

Council Member Secrest commented on the fentanyl crisis in relation to marijuana products.

14. CLOSED SESSION

City Attorney Rosen announced that City Council will recess to a closed session for the following:

a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8:

Real Property under negotiation along Traffic Way, including the following addresses and negotiating parties:

1. APN 006-311-056: Ben Dohi TRE ETAL
2. APN 007-481-009: Romel & Mercedes Fernandez
3. APN 007-481-008: Dan Frietas Rentals 3 LP a CA LP

4. APN 007-482-026: Mes Hansen
5. APN 007-481-011: Raffi M. Kaloosian
6. APN 007-482-018: Coyote Real Estate Corporation
7. APN 007-482-020: Coyote Real Estate Corporation
8. APN 007-482-006: Lan Vest Limited, Pacific Group Fuel LLC
9. APN 007-481-007: Pearl Cole I Family Trust
10. APN 006-311-067: Adam H. Saruwatari TRE ETAL

Agency Negotiators: Matthew Downing, City Manager; Bill Robeson, Assistant City Manager/Public Works Director

Under Negotiation: Price and Terms of Payment

Mayor Ray Russom invited public comment. No public comments were received.

Council adjourned to Closed Session at 8:58 p.m.

Council returned to open session at 9:19 p.m. City Attorney Rosen announced that there was no reportable action.

15. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 9:20 p.m.

Caren Ray Russom, Mayor

ATTEST:

Jessica Matson, City Clerk