



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

May 28, 2024, 5:00 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 Secret

Staff Present: City Clerk Jessica Matson, City Attorney Isaac
Rosen, City Manager Matthew Downing,
Assistant City Manager/Public Works Director
Bill Robeson, Administrative Services Director
Nicole Valentine, Community Development
Director Brian Pedrotti, City Engineer
Shannon Sweeney

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

CLOSED SESSION MEETING 5:00 P.M.:

1. CALL TO ORDER

Mayor Ray Russom called the meeting to order at 5:00 p.m.

2. ROLL CALL

City Clerk Matson took roll call.

3. FLAG SALUTE

Mayor Ray Russom led the flag salute.

4. PUBLIC COMMENT ON CLOSED SESSION ITEMS

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

5. CLOSED SESSION

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

will report any reportable action at the City Council Regular meeting at 6:00 p.m.:

- a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957:
Title: City Attorney

The City Council adjourned to Closed Session at 5:01 p.m.

6. ADJOURNMENT

The City Council adjourned Closed Session at 5:53 p.m.

REGULAR MEETING 6:00 P.M.

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

Council Member George requested Item 10.a. be moved after Item 12.b. and Item 13 after Item 8.
Council concurred.

5.a Closed Session Announcements

City Attorney Rosen announced that there was no reportable action from the following meeting:

May 28, 2024

- a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957:
Title: City Attorney

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 Secret

Passed (5 to 0)

6. SPECIAL PRESENTATIONS

6.a Honorary Proclamation Declaring June 2024 as "Pride Month"

Mayor Ray Russom read the Honorary Proclamation Declaring June 2024 as "Pride Month". Val Jones, GALA Pride & Diversity Center, accepted the proclamation.

No action was taken on this item.

6.b Honorary Proclamation Declaring June 7, 2024 as "Hunger Awareness Day"

Mayor Ray Russom read the Honorary Proclamation Declaring June 7, 2024 as "Hunger Awareness Day". Andrea Kisler, SLO Food Bank, accepted the proclamation.

No action was taken on this item.

6.c City Manager Communications

City Manager Downing provided information regarding the slurry seal and striping project in the Village; AGPD assistance in responding to the incident in Grover Beach; Spring issue of Arroyo Grande Gazette; and the Art in the Park event on June 8th.

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 were Patty Welsh, Jeff Chambers, Gaea Powell, Michael Punsalon, Shannon Kesler, Victor, Garry Schmidt. No further public comments were received.

Community Development Director Pedrotti and City Manager Downing responded to questions from the public.

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. There were none.

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

Reviewed and ratified the listing of cash disbursements for the period of April 16 through April 30, 2024.

9.b Resolutions for the 2024 General Municipal Election for the Election of Certain Officers of the City

1) Adopted a entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES"**; 2) Adopted a entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN LUIS OBISPO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE"**; and 3) Adopted a entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATE STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2024"**.

9.c Consideration of Engineer's Reports and Resolutions Declaring the City's Intention to Levy and Collect Assessments

1) Approved the Engineer's Reports for the Parkside Village Assessment District, Grace Lane Assessment District, and Arroyo Grande Landscaping and Lighting Assessment District No. 1, within Tract 1769, for FY 2024-25;

2) Adopted Resolutions entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED TO THE PARKSIDE VILLAGE ASSESSMENT DISTRICT FOR FISCAL YEAR 2024-2025"**; **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED TO THE GRACE LANE ASSESSMENT DISTRICT FOR FISCAL YEAR 2024-2025"**; and **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED TO THE ARROYO GRANDE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1, WITHIN TRACT 1769, FOR FISCAL YEAR 2024-2025"**.

3) Set a public hearing for June 25, 2024, at 6:00 p.m. for the Parkside Village Assessment District, Grace Lane Assessment District, and Arroyo Grande Landscaping and Lighting Assessment District No. 1, within Tract 1769, to consider levying the property assessments; and

4) Made findings that the is categorically exempt from the California Environmental Quality Act ("CEQA") under the Class 2 exemption, which applies to the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. (State CEQA Guidelines, § 15302.)

9.d Consider Four-Year Agreement with the California Department of Corrections and Rehabilitation for Use of Inmate Work Crews

Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING THE EXECUTION OF AN AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION FOR INMATE COMMUNITY SERVICE WORK CREWS"**.

9.e Monthly Water Supply and Demand Update

Received and filed the Monthly Water Supply and Demand Update.

9.f Adoption of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code Regarding Public Art

1) Adopted an Ordinance entitled: **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING SECTION 16.16.200 OF THE ARROYO GRANDE MUNICIPAL CODE REGARDING PUBLIC ART AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT"**; and

2) Found that the Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines sections 15060(c)(2) and 15061(b)(3).

10. PUBLIC HEARINGS

10.a Continued Public Hearing to 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

This Item was heard after Item 12.b.

Council Member George recused herself due to the location of her residence being within 500 feet of the project and left the meeting.

Mayor Ray Russom read a statement recusing herself and left the meeting.

Mayor Ray Russom called for a brief break at 8:06 p.m. The Council reconvened at 8:12 p.m.

Mayor Pro Tem Guthrie presided.

Community Development Director Pedrotti presented the item. Director Pedrotti, Assistant City Manager/Public Works Director Robeson, and City Manager Downing responded to questions from Council.

Mayor Pro Tem Guthrie and Council Member Secrest disclosed ex parte communications with the applicant.

Michael Harris, applicant, presented and responded to questions from Council.

Mayor Pro Tem Guthrie opened the public hearing. Speaking from the public were No Name Provided, Shannon Kesler, Charlotte. Upon hearing no further public comments, Mayor Pro Tem Guthrie closed the public hearing. Mayor Pro Tem Guthrie and Council Member Secrest responded to questions from the public.

Director Pedrotti and City Manager Downing responded to questions from Council regarding the proposed alternative resolution approving the domestic well, with conditions.

City Attorney Rosen responded to comments from the applicant. Director Pedrotti responded to questions from Council.

Moved by Council Member Secrest
Seconded by Mayor Pro Tem Guthrie

1) Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING THE INSTALLATION OF ONE (1) NEW DOMESTIC SUPPLY WELL ON PROPERTY ZONED PLANNED DEVELOPMENT; LOCATED NORTHEAST OF THE INTERSECTION OF NOYES ROAD AND EQUESTRIAN WAY (APN: 007-781-055); APPLIED FOR BY MICHAEL HARRIS, AND FINDING THAT THIS ACTION IS EXEMPT FROM CEQA";** and

2) Determined that the installation of a domestic water well is categorically exempt from CEQA under the Class 3 exemption, which applies to the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. (State CEQA Guidelines, § 15303.).

AYES (3): Council Member Secrest, Mayor Pro Tem Guthrie, and Council Member Barneich

ABSENT (2): Mayor Ray Russom, and Council Member George

Passed (3 to 0)

11. **OLD BUSINESS**

None.

12. **NEW BUSINESS**

12.a **Consider Placing a Local Transactions and Use Tax ("Sales Tax") Measure on the November 5, 2024 Ballot**

This item was heard after Item 9.

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

Council Member George recommended Council Member Secrest and Mayor Pro Tem Guthrie for appointment to the ad-hoc committee.

Mayor Ray Russom invited public comment. Speaking from the public were Shannon Kesler, Keith Storton, and Gaea Powell. No further public comments were received.

City Council discussion ensued regarding appointments to the ad-hoc committee and support of staff's recommendations.

Moved by Council Member George
Seconded by Council Member Barneich

1) Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, CALIFORNIA CALLING FOR THE PLACEMENT OF A GENERAL TAX MEASURE ON THE BALLOT FOR THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION FOR THE SUBMISSION TO THE QUALIFIED VOTERS OF AN ORDINANCE TO ENACT A GENERAL TRANSACTIONS AND USE TAX (SALES TAX) AT THE RATE OF ONE CENT (1¢)";**

2) Adopted a proposed Ordinance entitled: **"AN ORDINANCE OF THE PEOPLE OF THE CITY OF ARROYO GRANDE, CALIFORNIA, ADDING CHAPTER 3.26 TO TITLE 3 OF THE ARROYO GRANDE MUNICIPAL CODE TO ENACT A ONE PERCENT (1%) GENERAL TRANSACTIONS AND USE TAX (SALES TAX) TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION";**

3) Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, CALIFORNIA, PROVIDING FOR THE FILING OF PRIMARY AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING A CITY MEASURE TO BE SUBMITTED AT THE NOVEMBER 5, 2024 GENERAL MUNICIPAL ELECTION";**

4) Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN LUIS OBISPO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024 WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE PURSUANT TO §10403 OF THE ELECTIONS CODE";**

5) Appointed Council Member Secrest and Mayor Pro Tem Guthrie to serve on an ad-hoc committee for creation of the argument to be submitted in favor of the measure; and

6) Determined that adopting the Resolutions and Ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and therefore is not a project within the meaning of the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines, section 15378(b)(5).

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

Passed (5 to 0)

12.b Discussion and Consideration of Approval of the Fiscal Year (FY) 2024-25 Mid-Cycle Budget Update Report

Administrative Services Director Valentine presented the item and responded to questions from Council.

Mayor Ray Russom invited public comment. Speaking from the public was Alexandria Davis. No further public comments were received. Assistant City Manager/Public Works Director Robeson responded to questions from the public.

City Council discussion ensued regarding spending down reserves and staff's budget requests. Mayor Pro Tem Guthrie requested the Council consider the two items separately. Administrative Services Director Valentine and City Manager Downing responded to questions from Council.

Moved by Mayor Pro Tem Guthrie
Seconded by Council Member George

Directed staff to implement the recommendation of a policy that establishes three additional reserves: Information and Technology Reserve, Fleet Replacement Reserve and Facility Repairs Reserve; with the excess reserves, over 20%, that are expected to be available at the end of the Fiscal Year.

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

Passed (5 to 0)

Moved by Council Member Barneich
Seconded by Council Member George

Approve staff recommendations on the preliminary Fiscal Year 24-25 mid-cycle budget.

AYES (4): Council Member Barneich, Council Member George, Council Member Secrest, and Mayor Ray Russom

NOES (1): Mayor Pro Tem Guthrie

Passed (4 to 1)

13. COUNCIL COMMUNICATIONS

This item was heard before Item 8.

Council Member Secrest noted that she attended the Youth Mental Health Symposium and stated resources are available to youth and training for those who are 18+.

Council Member George commented on the Center for Child Adolescent Mental Health programming; the 2nd Annual State of Youth Mental Health Program; and commented that support is needed from the education system; and the student's report will be published in June.

Mayor Ray Russom commented on the Mills Act in place at the City and requested that the Council consider directing staff to agendize a discussion as part of the General Plan Update process. Council Member Barneich concurred.

Mayor Ray Russom also commented on the flag at Fireman's Park and requested staff check on all flags at City facilities to see if they need to be updated.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 9:08 p.m.

Caren Ray Russom, Mayor

Jessica Matson, City Clerk