



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

May 24, 2022, 6:00 p.m.
Hybrid City Council Chamber/Virtual Zoom Meeting

Council Members Present: Mayor Ray Russom, Mayor Pro Tem George, Council Member Barneich, Council Member Paulding, Council Member Storton

Staff Present: City Clerk Jessica Matson, City Attorney Timothy Carmel, City Manager Whitney McDonald, Assistant City Manager/Public Works Director Bill Robeson, Administrative Services Director Nicole Valentine, Community Development Director Brian Pedrotti, Planning Manager Andrew Perez

Given the recent increase in COVID-19 cases in San Luis Obispo County, and in compliance with Assembly Bill (AB) 361, which allows for a deviation of teleconference rules required by the Ralph M. Brown Act, this meeting was held by teleconference.

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

Arroyo Grande Optimist International led the flag salute.

Mayor Ray Russom invited public comment. Speaking from the public was Phil Dollman. Mayor Ray Russom closed public comment.

5. AGENDA REVIEW

There was Council consensus to move Item 9.b. to the end of the agenda.

5.a Closed Session Announcements

City Attorney Carmel announced that 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, Mayor Pro Tem George, Council Member Barneich, Council Member Paulding, and Council Member Storton

Passed (5 to 0)

6. SPECIAL PRESENTATIONS

6.a Update Regarding Countywide COVID-19 Efforts

City Manager McDonald provided a brief update on COVID-19 and the County "Test to Treat" services.

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 McDonald provided information regarding submittal of the application for Multi-Model Project Discretionary Grant funds for the Brisco-Halcyon Interchange Project; and discussed upcoming items for Council consideration.

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

No action was taken on this item.

6.c Honorary Proclamation Declaring June 2022 as "Pride Month"

Mayor Ray Russom read the Honorary Proclamation Declaring June 2022 as "Pride Month". Denise Andrade, 5 Cities Hope, accepted the proclamation.

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

No action was taken on this item.

6.d Honorary Proclamation Recognizing June 19, 2022 as "Juneteenth Day" in Arroyo Grande

Mayor Ray Russom read the Honorary Proclamation Recognizing June 19, 2022 as "Juneteenth Day" in Arroyo Grande. Cheryl Vines, NAACP, accepted the proclamation.

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

No action was taken on this item.

6.e Honorary Proclamation Declaring June 3, 2022 as “Hunger Awareness Day”

Mayor Ray Russom read the Honorary Proclamation Declaring June 3, 2022 as "Hunger Awareness Day". Branna Still, SLO Food Bank, accepted the proclamation.

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

No action was taken on this item.

7. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Ray Russom reopened public comment. Speaking from the public was Greg Steinberger. No further public comments were received.

8. 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. Speaking from the public were Scott Kohlbush, and Garrett Philbin. No further public comments were received.

Council provided comments on Items 8.e. and 8.i.

Moved by Council Member Barneich

Seconded by Mayor Pro Tem George

Approve Consent Agenda Items 8.a. through 8.i., with the recommended courses of action.

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

Passed (5 to 0)

8.a Consideration of Cash Disbursement Ratification

Ratified the attached listing of cash disbursements for the period of April 16 through April 30, 2022.

8.b Approval of Minutes

Approved the minutes of the Regular City Council Meeting of May 10, 2022 and Special City Council Meeting of May 18, 2022 as submitted.

8.c Consideration of Resolutions for the 2022 General Municipal Election for the Election of Certain Officers of the City

1) Adopted a Resolution 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 8, 2022, 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 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 8, 2022, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE"; and 3) Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022".**

8.d Consideration of Adoption of a Resolution Declaring a Continued Local Emergency Related to the Coronavirus (COVID-19) Pandemic

Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING A CONTINUED LOCAL EMERGENCY RELATED TO THE CORONAVIRUS (COVID-19) PANDEMIC".**

8.e Consideration of Authorizing the Display of the LGBTQ+ Pride Flag During the Month of June 2022 at Heritage Square Park and at City Hall

Authorized the display of the Pride Flag during the month of June 2022 at Heritage Square Park and at City Hall.

8.f Consideration of Authorizing the Display of the Juneteenth Flag During the week of June 17-24, 2022 at City Hall

Authorized the display of the Juneteenth Flag for the week beginning on June 17 through June 24, 2022, at City Hall.

8.g Consideration of Adoption of a Resolution Approving the Second Amended and Restated Joint Powers Agreement to Establish an Integrated Waste Management Authority for the Cities of San Luis Obispo County, California

Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE OF THE ADOPTING THE SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT TO ESTABLISH AN INTEGRATED WASTE MANAGEMENT AUTHORITY FOR THE CITIES OF SAN LUIS OBISPO COUNTY, CALIFORNIA".**

8.h Consideration of a Resolution Authorizing the Community Development Director to Submit an Application for the ATP Cycle 6 Grant and Execute any Agreements for the Use of Grant Funds for Implementation of the Halcyon Road Complete Streets Plan

Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR TO SUBMIT THE GRANT APPLICATION AND TO EXECUTE ANY NECESSARY AGREEMENTS FOR THE USE OF GRANT FUNDS FROM THE ACTIVE TRANSPORTATION PROGRAM CYCLE 6 GRANT"** and execute any agreements necessary for the use of grant funds as approved in the future Council-approved CIP budget in effect at the time the agreements are signed.

8.i Monthly Water Supply and Demand Update

Received and filed the monthly Water Supply and Demand Report.

9. PUBLIC HEARINGS

9.a Public Hearing to Consider a Resolution Levying an Annual Assessment for the Arroyo Grande Tourism Business Improvement District (AGTBID)

City Manager McDonald presented the staff report and Administrative Services Director Valentine responded to questions from Council.

Mayor Ray Russom opened the public hearing. Speaking from the public were Gaea Powell and Annie Ashbrook. Upon hearing no further public comments, Mayor Ray Russom closed the public hearing.

City Clerk Matson announced there were no written protests received.

Moved by Council Member Storton

Seconded by Council Member Paulding

Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE LEVYING AN ANNUAL ASSESSMENT FOR THE ARROYO GRANDE TOURISM BUSINESS IMPROVEMENT DISTRICT FOR THE 2022-23 FISCAL YEAR".**

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

Passed (5 to 0)

9.b Discuss and Consider Introduction of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code to Implement Senate Bill 9; Development Code Amendment 21-002; Location – Citywide

This item was heard after Item 11.b.

Mayor Ray Russom called for a brief break at 8:09 p.m. The Council reconvened at 8:15 p.m.

Community Development Director Pedrotti introduced the item and Planning Manager Perez presented the staff report. Mr. Pedrotti, Mr. Perez, Assistant City Manager/Public Works Director Robeson, and City Manager McDonald responded to questions from Council.

Mayor Ray Russom opened the public hearing. Speaking from the public were Rachel Mann, Garrett Philbin, Krista Jeffries, and Kevin Buchanan. Upon hearing no further public comments, Mayor Ray Russom closed the public hearing.

Council discussion ensued regarding revisions to the Ordinance based on City advisory body recommendations. There was Council consensus regarding the following revisions: having 4 units for smaller lots and 6 units for larger lots for urban lot splits; using Floor-Area Ratio (FAR) as the limit for maximum unit size; 2 ADUs with two-unit developments and 1 on each lot with urban lot splits; a maximum height of 16 feet within setback of underlying zone and 30 feet

outside the zone; 1 uncovered parking space required per unit; not allowing fee waivers; and not allowing rooftop decks.

Moved by Mayor Ray Russom
Seconded by Council Member Barneich

Continue the public hearing and introduction of the Ordinance to a date certain of June 14, 2022

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

Passed (5 to 0)

9.c Consideration of 5-Year Review of Local Sales Tax

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

Mayor Ray Russom opened the public hearing. Upon hearing no public comments, Mayor Ray Russom closed the public hearing.

Moved by Council Member Paulding
Seconded by Mayor Pro Tem George

Receive and file the 5-year report covering the period of July 2016 through June 2021, and approve continuation of the local sales tax.

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

Passed (5 to 0)

10. OLD BUSINESS

None.

11. NEW BUSINESS

11.a Discussion and Consideration of the 5-Year Capital Improvement Program and 5-Year Local Sales Tax Fund Expenditure Program

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

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

Council provided direction to staff.

11.b Consideration of Placing a Local Transactions and Use Tax ("Sales Tax") Measure on the November 8, 2022 Ballot

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

Mayor Ray Russom invited public comment. Speaking from the public were Garrett Philbin and Jim Guthrie. No further public comments were received. City Manager McDonald responded to questions from the public. City Attorney Carmel commented on suggested wording changes to the ballot question.

Moved by Council Member Storton
Seconded by Mayor Pro Tem George

Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY A MEASURE RELATING TO THE ESTABLISHMENT OF A LOCAL TRANSACTION AND USE TAX (SALES TAX) AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, AS CALLED BY RESOLUTION NO. 5187".**

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

Passed (5 to 0)

Moved by Council Member Storton
Seconded by Council Member Barneich

Introduce an Ordinance entitled: **"AN ORDINANCE OF THE CITY OF ARROYO GRANDE ADDING CHAPTER 3.23 TO TITLE 3 OF THE ARROYO GRANDE MUNICIPAL CODE RELATED TO A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION".** City Attorney Carmel read the full title of the Ordinance.

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

Passed (5 to 0)

Moved by Council Member Storton
Seconded by Mayor Ray Russom

Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A CITY MEASURE AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS".**

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

Passed (5 to 0)

Moved by Council Member Storton
Seconded by Mayor Pro Tem George

Adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR CITY MEASURES SUBMITTED AT MUNICIPAL ELECTIONS"***.

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

Passed (5 to 0)

Moved by Council Member Storton

Seconded by Council Member Barneich

Approve the argument to be submitted in favor of the measure as revised.

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

Passed (5 to 0)

12. 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.

12.a MAYOR RAY RUSSOM:

1. California Joint Powers Insurance Authority (CJPIA)
2. South San Luis Obispo County Sanitation District (SSLOCSD)
3. Tourism Business Improvement District Advisory Board
4. Other

12.b MAYOR PRO TEM GEORGE:

1. County Water Resources Advisory Committee (WRAC)
2. Visit SLO CAL Advisory Board
3. Other

12.c COUNCIL MEMBER BARNEICH:

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

12.d COUNCIL MEMBER PAULDING:

1. Air Pollution Control District (APCD)
2. Brisco/Halcyon Interchange Subcommittee
3. Council of Governments/Regional Transit Authority/ South County Transit (SLOCOG/SLORTA/SCT)
4. REACH SLO Advisory Commission
5. Other

12.e COUNCIL MEMBER STORTON:

1. Brisco/Halcyon Interchange Subcommittee
2. Five Cities Fire Authority (FCFA)
3. Integrated Waste Management Authority Board (IWMA)
4. South County Chambers of Commerce Governmental Affairs Committee
5. Other

13. COUNCIL COMMUNICATIONS

Mayor Pro Tem George commented on her appreciation for the SB 9 study session and thanked staff for their work on the item.

14. CLOSED SESSION

None.

15. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 10:54 p.m.

Caren Ray Russom, Mayor

Jessica Matson, City Clerk