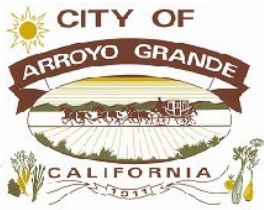


Attachment 5 – Staff Report and Minutes from the September 13, 2022 City Council

Meeting [September 13th, 2022 City Council STR Staff Report](#)

Minutes from the September 13, 2022 City Council Meeting can be found attached on the following pages.



ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL/SUCCESSOR AGENCY TO THE DISSOLVED ARROYO GRANDE REDEVELOPMENT AGENCY

September 13, 2022, 6:00 p.m.

Hybrid City Council Chamber/Virtual Zoom Meeting
215 East Branch Street, Arroyo Grande

Council/Board Members Present: Mayor/Chair Ray Russom, Mayor Pro Tem/Vice Chair George, Council/Board Member Paulding, Council/Board Member Storton

Council/Board Members Absent: Council/Board Member Barneich

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, Chief of Police Michael Martinez, Planning Manager Andrew Perez, Associate Planner Patrick Holub, Contract Building Official Mark Meyers

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/Chair Ray Russom called the Regular City Council/Successor Agency to the Dissolved Arroyo Grande Redevelopment Agency Meeting to order at 6:00 p.m.

2. **ROLL CALL**

City Clerk Matson took roll call.

3. **MOMENT OF REFLECTION**

4. **FLAG SALUTE**

Felix Esparza, Latino Outreach Council, led the flag salute.

5. AGENDA REVIEW

Mayor/Chair Ray Russom noted that Item 9.b. will be heard before 9.a. and 11.a., and Council Communications will be heard before the Public Hearing items.

5.a Closed Session Announcements

None.

5.b Ordinances read in title only

Moved by Mayor/Chair Ray Russom

Seconded by Council/Board Member Storton

AYES (4): Mayor/Chair Ray Russom, Mayor Pro Tem/Vice Chair George, Council/Board Member Paulding, and Council/Board Member Storton

ABSENT (1): Council/Board Member Barneich

Passed (4 to 0)

6. SPECIAL PRESENTATIONS

6.a Update Regarding Countywide COVID-19 Efforts

City Manager McDonald provided a brief update on COVID-19 including available booster vaccines and testing sites.

Mayor/Chair 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 the City's summer concert series, the Elm Street Inclusive Playground groundbreaking event; and the first Joint City Council meeting regarding the Central Coast Blue Project.

Assistant City Manager/Public Works Director Robeson provided information regarding awards received for the Bridge Street Bridge Rehabilitation Project.

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

No action was taken on this item.

Receive correspondence/comments as presented by the City Manager and Provide direction, as necessary.

6.c Honorary Proclamation Recognizing September 15-October 15, 2022 as "National Hispanic Heritage Month"

Mayor/Chair Ray Russom read the Honorary Proclamation recognizing September 15 - October 15, 2022 as "National Hispanic Heritage Month". Felix Esparza, Latino Outreach Council,

accepted the proclamation. The Latino Outreach Council and Mexican Consulate presented a Certificate of Recognition to the Council for highlighting the contributions made by the Latino and Mexican community in the city of Arroyo Grande and enhancing and connecting the diverse and multi-racial and multi-cultural mosaic of cultures during Hispanic Heritage Month.

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

No action was taken on this item.

6.d Introduction of Police Commander Culver

Police Chief Martinez introduced Police Commander Culver, and highlighted his educational and professional background.

6.e Update on Active Shooter Drill

Police Commander Culver provided information regarding the recent multi-jurisdictional Active Shooter Drill and responded to questions from Council.

Mayor/Chair Ray Russom invited public comment. Speaking from the public was Ben Franco and Rachelle Krelle. No further public comments were received.

No Action was taken on this item.

7. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor/Chair Ray Russom invited public comment. Speaking from the public was Jeff Edwards. No further public comments were received.

8. CONSENT AGENDA

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

Staff responded to Council questions regarding Item 8.j.

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

Moved by Council/Board Member Storton

Seconded by Council/Board Member Paulding

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

AYES (4): Mayor/Chair Ray Russom, Mayor Pro Tem/Vice Chair George, Council/Board Member Paulding, and Council/Board Member Storton

ABSENT (1): Council/Board Member Barneich

Passed (4 to 0)

8.a Consideration of Cash Disbursement Ratification

Ratified the listing of cash disbursements for the period of August 1 through August 15, 2022.

8.b Consideration of Statement of Investment Deposits

Received and filed the attached report listing investment deposits of the City of Arroyo Grande as of July 31, 2022, as required by Government Code Section 53646(b).

8.c Consideration of Adoption of Resolution Approving the Last and Final Recognized Obligation Payment Schedule for the Successor Agency to the Arroyo Grande Redevelopment Agency

Adopted a Resolution entitled: ***"A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE DISSOLVED ARROYO GRANDE REDEVELOPMENT AGENCY APPROVING THE LAST & FINAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR FISCAL YEARS 2023-38 AND APPROVING CERTAIN RELATED ACTIVITIES"***.

8.d Consideration of Approval of Minutes

Approved the minutes of the Regular City Council Meeting of August 23, 2022, as submitted.

8.e 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.f Consideration of Cancellation of November 8, 2022 City Council Meeting

Cancelled the regularly scheduled Council meeting of November 8, 2022.

8.g Consideration of Authorizing the City Attorney to Amend the Affordable Housing Agreement for 252 S. Courtland Street

Authorized the City Attorney to amend the Agreement allowing the property owner to sell the subject property to an eligible, moderate income household.

8.h Consideration of a Resolution Approving a Grant Agreement from the Office of Traffic Safety for Traffic Records Improvement and Approval of the Purchase of the Crossroads Traffic Collision Reporting and Electronic Citation Systems

1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING AND AUTHORIZING THE CHIEF OF POLICE TO EXECUTE AN AGREEMENT WITH THE CALIFORNIA OFFICE OF TRAFFIC SAFETY TO ACCEPT GRANT FUNDING FOR TRAFFIC RECORDS IMPROVEMENT PROJECT AND TO APPROPRIATE THE FUNDING FOR THE PROGRAM ACTIVITIES"***; 2) Approved a Budget Amendment Request for FY 2022-23 in the amount of \$109,000 to account for the OTS grant revenue and the expenditures for the new reporting and citation systems, and 3) Approved the sole source purchase of the Crossroads traffic collision reporting and electronic citation software programs.

8.i Consideration of a Resolution Approving a Grant Agreement with the Office of Traffic Safety for Traffic/DUI Enforcement

1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING AND AUTHORIZING THE CHIEF OF POLICE TO EXECUTE AN AGREEMENT WITH THE CALIFORNIA OFFICE OF TRAFFIC SAFETY TO ACCEPT GRANT FUNDING FOR TRAFFIC SAFETY PROGRAMS AND TO APPROPRIATE THE FUNDING FOR THE PROGRAM ACTIVITIES"***; and 2) Approved a Budget Amendment Request for FY 2022-23 in the amount of \$58,000 to account for the additional revenue and expenditures related to the grant.

8.j Consider Adoption of a Resolution Pursuant to Public Contract Code (PCC) Section 20168 and Authorizing Contracting Without a Competitive Solicitation for Bids Pursuant to PCC Section 22050 for FCFA Station 1 Emergency Generator Replacement

1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING AN EMERGENCY AND AUTHORIZING THE IMMEDIATE EXPENDITURE OF FUNDS TO REPLACE THE EMERGENCY GENERATOR AT THE FIVE CITIES FIRE AUTHORITY STATION 1"***; and 2) Authorized the City Manager, or designee, to execute a contract with a qualified contractor for construction of the project.

8.k Consideration of Acceptance of the 2021 Street Repairs Project, PW 2021-01

1) Accepted the project improvements as constructed by Ferravanti Grading & Paving in accordance with the plans and specifications for the 2021 Street Repairs Project, PW 2021-01; 2) Directed staff to file a Notice of Completion; and 3) Authorized release of retention, thirty-five (35) days after the Notice of Completion has been recorded, if no liens have been filed.

8.l Consideration of Resolution Authorizing Refund of Planning Commission Appeal Fees to the Appellants of Vacation Rental Permits Approved for 263-D Spruce Street and 1170 Linda Drive

Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AUTHORIZING THE REFUND OF APPEAL FEES FOR THE APPEALS OF THE SHORT-TERM RENTALS AT 263-D SPRUCE STREET AND 1170 LINDA DRIVE"***.

8.m Consideration of a Grant Agreement with Smart Share Housing Solutions for Public Outreach, Education, and Project Management to Facilitate Development of Accessory Dwelling Units in Arroyo Grande

Reviewed the proposal from SSHS and authorize the City Manager to execute an Agreement between the City and SSHS for public outreach, education, and project management and demonstration to facilitate the development of ADUs in the City.

9. PUBLIC HEARINGS

Mayor/Chair Ray Russom noted that due to a conflict of interest, Council drew straws to see who would hear each item.

9.a Discuss and Consider Introduction of Ordinance Amending Title 16 of Arroyo Grande Municipal Code Regarding Accessory Dwelling Units; Development Code Amendment 20-001 and Consideration of a Fee Waiver Program for Certain Accessory Dwelling Units

Mayor Ray Russom called for a brief break at 8:54 p.m. The Council reconvened at 9:04 p.m.

This item was heard after Item 9.b.

Mayor Ray Russom declared a conflict of interest due to owning an ADU and left the meeting. Mayor Pro Tem George returned and presided over the meeting.

Planning Manager Perez presented the staff report and recommended that Council introduce the Ordinance amending the regulations for accessory dwelling units and provide feedback about the details of the proposed fee waiver program. Staff responded to questions.

Mayor Pro Tem George opened the public hearing. Speaking from the public was Ben Franco. Upon hearing no further public comments, Mayor Pro Tem George closed the public hearing and directed staff to follow-up with the commenter.

Moved by Mayor Pro Tem/Vice Chair George
Seconded by Council/Board Member Paulding

Introduce an Ordinance entitled: **"AN ORDINANCE OF THE CITY COUNCIL ADOPTING AMENDMENTS TO TITLE 16 OF THE ARROYO GRANDE MUNICIPAL CODE (AGMC) REGARDING ACCESSORY DWELLING UNITS; LOCATION- CITYWIDE"**. City Attorney Carmel read the full title of the Ordinance into the record.

AYES (3): Mayor Pro Tem/Vice Chair George, Council/Board Member Paulding, and Council/Board Member Storton

ABSENT (2): Mayor/Chair Ray Russom, and Council/Board Member Barneich

Passed (3 to 0)

9.b Introduction of Ordinance Amending Title 16 of the Arroyo Grande Municipal Code Regarding Short Term Rentals (Vacation Rentals and Homestays); Development Code Amendment 22-002

This item was heard out of order.

Mayor Pro Tem George declared a conflict of interest due to owning a short-term rental and left the meeting.

Community Development Director Pedrotti introduced the item. Associate Planner Holub presented the item and recommended that the Council introduce an Ordinance amending Title 16 of the AGMC regarding short-term rentals and responded to questions.

Mayor Ray Russom opened the public hearing. Speaking from the public were John Hagler, Sharon Valienzi, Ben Franco, Jim Guthrie, Jami Fordyce, Corina Garsa, Francine Errico, Ken Steitz. Upon hearing no further public comments, Mayor Ray Russom closed the public hearing. Mayor Ray Russom responded to questions from the public. City Attorney Carmel provided clarification regarding references to properties being "grandfathered in."

Staff responded to questions from Council.

Moved by Mayor/Chair Ray Russom
Seconded by Council/Board Member Paulding

To modify the Ordinance as follows: a cap of 90 vacation rentals with a 6-month lookback; a short-term rental buffer of 500 feet as recommended by the Planning Commission; language for revocation triggers; "unresponsive emergency contact" defined as a contact who does not answer 3 times in a 12-month rolling period and would initiate a revocation hearing; language that 2 citations or arrests in a 12-month rolling period would initiate a revocation hearing; language in outreach letters regarding voluntary relinquishment of permits for existing permit holders; language that TOT is to be paid every 6 months; modify language to state the 2-space parking requirement only applies to short-term rentals; the wording "revocation proceeding" be changed to "revocation hearing;" definitions are approved as presented by staff; and to continue the introduction of an Ordinance amending Title 16 of the AGMC regarding short term rentals to a date certain of September 27, 2022.

AYES (3): Mayor/Chair Ray Russom, Council/Board Member Paulding, and Council/Board Member Storton

ABSENT (2): Mayor Pro Tem/Vice Chair George, and Council/Board Member Barneich

Passed (3 to 0)

10. OLD BUSINESS

None.

11. NEW BUSINESS

11.a Discussion of Draft Ordinance Addressing Tiny Homes on Wheels

This item was heard after item 9.a. Mayor Ray Russom previously declared a conflict of interest due to owning an ADU and left the meeting.

Planning Manager Perez presented the report and staff responded to questions from Council.

Mayor Pro Tem George invited public comment. Speaking from the public was Joe Pollon. No further public comments were received.

Contract Building Official Meyers provided more information regarding tiny home accreditation organizations permitted. Mayor Pro Tem George directed staff to research accreditation options.

Moved by Council/Board Member Paulding

Seconded by Council/Board Member Storton

Approve staff's recommendation with the modification to add language to paragraph B3 to state "in addition to the RVIA any other HCD approved association", and to ban roof top decks.

AYES (3): Mayor Pro Tem/Vice Chair George, Council/Board Member Paulding, and Council/Board Member Storton

ABSENT (2): Mayor/Chair Ray Russom, and Council/Board Member Barneich

Passed (3 to 0)

12. COUNCIL COMMUNICATIONS

This item was heard out of order.

Mayor/Chair Ray Russom stated that she will be unable to attend the Mayor's meeting and asked if any other Council Member would be available to attend. Council members Storton, Paulding and George stated they would not be able to attend.

13. CLOSED SESSION

None.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Pro Tem George adjourned the meeting at 9:47 p.m.

Caren Ray Russom, Mayor/Chair

Jessica Matson, City Clerk/Secretary