



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

March 28, 2023, 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 Barneich, Council Member Guthrie, Council Member Secret

Council Members Absent: Council Member George

Staff Present: City Clerk Jessica Matson, Interim City Attorney Isaac Rosen, 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, Utilities Manager Shane Taylor

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

Ken Teisinger and Anne McCrackin, representing the Arroyo Grande Valley Kiwanis Club, led the flag salute.

5. AGENDA REVIEW

5.a Closed Session Announcements

Announcement of reportable actions taken, if any, from the following meeting:

Regular Meeting of March 14, 2023

City Council will announce any action on the following:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8:

Property: 400 West Branch Street

Agency negotiators: Whitney McDonald, City Manager; Bill Robeson, Assistant City Manager/Public Works Director

Negotiating parties: Dev Patel, on behalf of Kamla Hotels

Under negotiation: Price and terms of payment

Interim City Attorney Rosen gave a report on closed session. There was no reportable action.

Special Meeting of March 20, 2023

Public Employee Appointment pursuant to Government Code Section 54957:

Title: City Attorney

City Manager McDonald gave a report on closed session. There was no reportable action.

5.b Ordinances read in title only

None.

6. SPECIAL PRESENTATIONS

6.a Honorary Proclamation Declaring the Month of April 2023 as Month of the Child and Child Abuse Prevention Month

Mayor Ray Russom read the Honorary Proclamation Declaring the Month of April 2023 as Month of the Child and Child Abuse Prevention Month. Patty Clarkson, Director, Cal Poly Preschool Learning Lab and Director, Cal Poly Early Care & Education Strategic Initiatives accepted the proclamation.

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

No action was taken on this item.

6.b Introductions of New Firefighters - Cade Posner and Braden Jones

FCFA Chief Lieberman introduced new Firefighters Cade Posner and Braden Jones and provided an overview of their professional background.

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

6.c City Manager Communications

City Manager McDonald provided information regarding upcoming events in Arroyo Grande including Bunny Grams, and the April 8, 2023 Egg Hunt and Festival located at the Arroyo Grande Elm Street Park; discussed upcoming items for Council consideration; and reported that

the emergency declaration made by FEMA for the January 2023 storm events does not apply to the March 2023 storm events and encouraged residents to visit ReadySLO.org to submit March storm damage.

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 Cost Blue Regional Recycled Water Authority Board
3. San Luis Obispo County Mayor's Meeting
4. South San Luis Obispo County Sanitation District (SSLOCSD)
5. Other

7.b MAYOR PRO TEM BARNEICH:

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

7.c COUNCIL MEMBER GEORGE:

1. Five Cities Fire Authority
2. Tourism Business Improvement District Advisory Board
3. Visit SLO CAL Advisory Board
4. Other

7.d COUNCIL MEMBER GUTHRIE:

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

6. Other

7.e COUNCIL MEMBER SECREST:

1. Air Pollution Control District (APCD)
2. Brisco/Halcyon Interchange Subcommittee
3. South County Chambers of Commerce Arroyo Grande Business Meeting
4. South County Chambers of Commerce Governmental Affairs Committee
5. Other

8. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Ray Russom invited public comment. No 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. There were none.

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

Moved by Council Member Guthrie
Seconded by Mayor Pro Tem Barneich

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

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

ABSENT (1): Council Member George

Passed (4 to 0)

9.a Consideration of Cash Disbursement Ratification

1) Ratified the listing of cash disbursements for the period of February 16 through February 28, 2023. 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. (b)(2)-(3), 15378.)

9.b Approval of Minutes

Approved the minutes of the Regular City Council Meeting of March 14, 2023 and Special City Council Meeting of March 20, 2023, as submitted.

9.c Appointment of an Alternate Board Member to Serve on the Central Coast Blue Regional Recycled Water Authority Board for Calendar Years 2023 and 2024

1) Appointed the Mayor Pro Tem to serve as an alternate on the Central Coast Blue Regional Recycled Water Authority Board for a term of two years beginning March 29, 2023 and ending

December 31, 2024. 2) Determined that appointing an alternate 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. (b)(2)-(3), 15378.)

9.d Consideration of Adoption of a Resolution Declaring a Continued Local Emergency Related to the Ongoing Storm Events

1) Adopted a Resolution entitled: "***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING A CONTINUED LOCAL EMERGENCY WITHIN THE CITY OF ARROYO GRANDE (MARCH 2023 AND ONGOING STORM EVENTS BEGINNING DECEMBER 27, 2022)***"; and 2) Made findings that adopting the Resolution continuing a local emergency is not a project subject to the California Environmental Quality Act ("CEQA") because the continued declaration in itself has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.)

9.e Consideration to Approve Construction Plans & Specifications and Environmental Exemption for the Fair Oaks Water Main Replacement, Elm to Alder, Project

1) Approved the construction plans and specifications for the Fair Oaks Water Main Replacement, Elm to Alder, Project; 2) Authorized the City Clerk to advertise for sealed construction bids; 3) Found that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15301(b); and 4) Directed the City Clerk to file a Notice of Exemption.

9.f Consideration of Approval of an Agreement for Consultant Services with Mintier Harnish for the Comprehensive General Plan Update

1) Approved and authorized the Mayor to execute an Agreement for Consultant Services with Mintier Harnish to assist the City with the Comprehensive General Plan Update in substantially final form (subject to minor revisions to effectuate City Council's intent). 2) Determined that approving the Agreement 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. (b)(2)-(3), 15378), and environmental review is contemplated as part of the Comprehensive General Plan Update for which the Consultant will be employed.

9.g Consider Adoption of a Resolution Terminating the Emergency Related to the FCFA Station 1 Emergency Generator Replacement Project, PW 2021-09 Pursuant to Public Contract Code Section 22050(c)(3)

1) Received and filed an update of the emergency generator replacement project at the FCFA Station 1; 2) Adopted a Resolution entitled: "***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DETERMINING THAT EXECUTION OF A CONTRACT FOR THE FCFA STATION 1 EMERGENCY GENERATOR REPLACEMENT PROJECT, PW 2021-09, HAS TERMINATED THE EMERGENCY ACTION***"; and 3) Found that the termination of the emergency action and the update of the Emergency generator replacement project at FCFA Station 1 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, and where none of the exceptions to the exemption apply. (State CEQA Guidelines, § 15302.) Additionally, the action is exempt under pursuant to State CEQA Guidelines sections 15060(c)(2), 15061(b)(3), and 15378(b)(5).

9.h Monthly Water Supply and Demand Update

Received and filed the Monthly Water Supply and Demand Update.

10. PUBLIC HEARINGS

None.

11. OLD BUSINESS

11.a Discussion and Consideration of a Project Status Update and Direction Regarding the Brisco-Halcyon Interchange Modification Project

Community Development Director Pedrotti acknowledged the Supplemental information provided, presented the staff report and recommended that the Council receive the project status report, consider options, and direct staff to pursue the No Project Option. Director Pedrotti responded to questions from Council.

Mayor Ray Russom invited public comment. Speaking from the public was Stephen Hanamaikai, San Luis Obispo Council of Governments (SLOCOG). No further public comments were received.

Moved by Council Member Guthrie
Seconded by Council Member Secret

Receive the Project status report, consider options, and direct staff to pursue the No Project Option.

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

ABSENT (1): Council Member George

Passed (4 to 0)

12. NEW BUSINESS

12.a Consideration of a Resolution Approving Arroyo Grande Community Service Grant Program Allocations for Fiscal Year 2022-23

Planning Manager Perez presented the staff report and recommended that the Council Adopt a Resolution approving the Arroyo Grande Community Service Grant Program funding allocations identified in Attachment 1.

Mayor Ray Russom invited public comment. Speaking from the public was Sarah DeYoung, CASA; Eileen Costello, AGPA; Nan Bowman, AGPA; Jenny Luciano, BBBS. No further public comments were received.

Moved by Mayor Pro Tem Barneich
Seconded by Council Member Guthrie

1) Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING ARROYO GRANDE COMMUNITY SERVICE GRANT PROGRAM PROJECTS FOR FISCAL YEAR 2022-23"**; and 2) Determine that adopting the Resolution 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. (b)(2)-(3), 15378.)

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

ABSENT (1): Council Member George

Passed (4 to 0)

12.b Consideration of a Resolution Rescinding the Declaration of a Stage 1 Water Shortage Emergency; and Make Findings that Rescinding the Declaration is Not Subject to CEQA

Assistant City Manager/Public Works Director Robeson presented the report and recommended that the Council adopt a Resolution rescinding the declaration of the Stage 1 Water Shortage Emergency and related emergency water shortage restrictions and penalties. Director Robeson and Utilities Manager Shane Taylor responded to questions from Council.

Council discussion ensued regarding the importance for continued conservation as a way of life. Council Member Guthrie requested that staff include information in the May monthly water supply report regarding where water savings occurred. Council Member Secrest concurred.

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

Moved by Council Member Guthrie
Seconded by Mayor Pro Tem Barneich

1) Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE RESCINDING THE DECLARATION OF A STAGE 1 WATER SHORTAGE EMERGENCY AND RELATED WATER CONSERVATION MEASURES AND RESTRICTIONS"**; and 2) Make findings that adopting the Resolution rescinding the declaration of the Stage 1 Water Shortage Emergency 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. (b)(2)-(3), 15378). Alternatively, this is not a "project" as defined by CEQA because rescinding the Stage 1 Water Shortage Emergency is merely administrative activity. (See State CEQA Guidelines, § 15378(b)(2),(4)). For those reasons, the action is exempt from CEQA.

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

ABSENT (1): Council Member George

Passed (4 to 0)

13. COUNCIL COMMUNICATIONS

None.

14. CLOSED SESSION

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

CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION pursuant to Government Code Section 54956.9(d)(1):

Name of Case: Oak Park Estates, HOA v. City of Arroyo Grande, et al. and related actions

Council Member Secrest declared a potential conflict of interest, recused herself and left the meeting.

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

City Council adjourned to Closed Session at 8:17 p.m. and resumed Open Session at 9:00 p.m.

Interim 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 9:00 p.m.

Caren Ray Russom, Mayor

ATTEST:

Jessica Matson, City Clerk