



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

July 25, 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 George, Council
Member Guthrie, Council Member Secrest

Staff Present: City Clerk Jessica Matson, City Attorney Isaac
Rosen, City Manager Whitney McDonald,
Assistant City Manager/Public Works Director
Bill Robeson, Administrative Services Director
Nicole Valentine, Human Resources Officer
Tashina Ureno, Community Development
Director Brian Pedrotti, Associate Planner
Patrick Holub, 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 6:01 p.m.

2. ROLL CALL

City Clerk Matson took roll call.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Peggy Burdine, Optimist Club, led the flag salute.

5. AGENDA REVIEW

5.a Closed Session Announcements

City Council Meeting of July 11, 2023

a) PUBLIC EMPLOYMENT PURSUANT TO GOVERNMENT CODE SECTION 54957(b):

PUBLIC EMPLOYEE APPOINTMENT

Position: Interim City Manager

b) LABOR NEGOTIATION PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: City Attorney

Unrepresented employee: Interim City Manager

City Attorney Rosen announced that there was no reportable action.

City Council Meeting of July 25, 2023

PUBLIC EMPLOYMENT PER GOVERNMENT CODE SECTION 54957(b)

PUBLIC EMPLOYEE APPOINTMENT

Position: Interim City Manager

City Attorney Rosen announced that the City Council offered the position of Interim City Manager to Bill Robeson.

CONFERENCE WITH LABOR NEGOTIATORS PER GOVERNMENT CODE SECTION 54957.6

1. Employee Organization: Arroyo Grande Police Officers' Association
 - a. City-designated negotiators: Che Johnson, Special Labor Counsel; Tashina Ureno, Human Resources Officer; Nicole Valentine, Director of Administrative Services
2. Employee Organization: Service Employees International Union, Local 620
 - a. City-designated negotiators: Che Johnson, Special Labor Counsel; Tashina Ureno, Human Resources Officer; Nicole Valentine, Director of Administrative Services
3. Unrepresented Management Employees
 - a. City-designated negotiators: Che Johnson, Special Labor Counsel
4. City Manager
 - a. City-designated negotiators: Che Johnson, Special Labor Counsel

City Attorney Rosen announced that there was no reportable action.

5.b Ordinances read in title only

Moved by Mayor Ray Russom

Seconded by Mayor Pro Tem 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 Barneich, Council Member George, Council Member Guthrie, and Council Member Secrest

Passed (5 to 0)

6. SPECIAL PRESENTATIONS

6.a City Manager Communications

City Manager McDonald made remarks regarding her time serving the City.

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. 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 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. 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.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 Gaea Powell, Darcy Cole, No Name Provided, Tim Olivas, and Bruce Blair. 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.

City Attorney Rosen commented on there being no conflict of interest for Item 9.f.

Mayor Pro Tem Barneich requested Item 9.k. be pulled for separate vote and announced she is recusing herself from voting due to a potential conflict of interest.

Council Member Guthrie requested Item 9.n. be pulled for separate vote and announced that he would recuse himself from voting due to his position as Chairman of the committee.

Council made comments regarding Items 9.e., 9.n., and 9.m.

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

Moved by Mayor Pro Tem Barneich
Seconded by Council Member George

Approve Consent Agenda Items 9.a. through 9.m., with the exception of item 9.k. and 9.n., with the recommended courses of action.

AYES (5): Mayor Pro Tem Barneich, Council Member George, Council Member Secrest, Council Member George, 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 June 1 through June 30, 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 Consideration of Statement of Investment Deposits

1) Received and filed the report listing investment deposits of the City of Arroyo Grande as of May 31, 2023, as required by Government Code Section 53646(b); 2) Determined that receiving the report of investment deposits 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.c 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 (ONGOING STORM EVENTS BEGINNING DECEMBER 27, 2022)";*** and 2) Make 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.d Approval of Minutes

Approved the minutes of the 1) Special City Council Meeting of June 22, 2023; 2) Regular City Council Meetings of June 27, 2023, and July 11, 2023; and 3) Central Coast Blue Joint City Council Special Meeting of June 5, 2023, contingent on the approval of Grover Beach City Council and Pismo Beach City Council; as submitted.

9.e Consideration of Appointment to the San Luis Obispo Council of Government's Citizens' Transportation Advisory Committee

Approved Council Member Guthrie's recommendation to appoint Duane Paul Leib to the Citizens' Transportation Advisory Committee.

9.f Consideration of Adoption of a Resolution to Revise the Arroyo Grande Tourism Business Improvement District Advisory Board By-laws

Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING THE ARROYO GRANDE TOURISM BUSINESS IMPROVEMENT DISTRICT ADVISORY BOARD BYLAWS"***.

9.g Consideration to Authorize the Purchase of Water Meters

Authorized the purchase of water meters from Aqua Metric in the amount of \$53,500 during FY 2023-24.

9.h Consideration of Parklet Concrete Barrier and Planter Procurement

1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AUTHORIZING THE PURCHASE OF DECORATIVE CONCRETE BARRIERS AND PLANTERS FOR THE LONG-TERM PARKLET PROGRAM"***; 2) Made findings that continuing administrative or maintenance activities—such as purchases for supplies, personnel-related actions, and general policy and procedure making—do not qualify as a project under CEQA.

9.i Consideration of an Award of Contract for Construction of the 2022 Concrete Repairs Project, PW 2022-07

1) Authorized the City Manager, on the City's behalf, to enter into a contract for the 2022 Concrete Repairs Project to JJ Fisher Construction, Inc. in the amount of \$398,351 for the Base Bid only, subject to minor revisions in consultation with the City Attorney that effectuate the intent of City Council's approval, once the City receives the necessary agreement from CDBG obligating the funds; and 2) Authorized the City Manager to approve change orders of 10% of the contract amount, \$39,835, for unanticipated costs during the construction phase of the Project.

9.j June 2023 Monthly Water Supply and Demand Update

Received and filed the Monthly Water Supply and Demand Update.

9.l Consideration of Lease Renewal for Portion of Car Corral Public Parking Lot Located Between 103 and 109 E. Branch Street for an Additional Five-Year Term from August 1, 2023 to July 31, 2028

Approved and authorized the Mayor to execute the Agreement of Lease ("lease") with Kevin Delaney on behalf of the City; and authorize the City Manager to make any such minor changes necessary to further the intent of the parties, subject to the approval of the City Attorney.

9.m Consider Approval of Allocation from the Affordable Housing Trust Fund to Support the Affordable Housing Project at 700 Oak Park Blvd

Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AUTHORIZING A BUDGET ADJUSTMENT FROM THE AFFORDABLE HOUSING TRUST FUND AND AUTHORIZING THE CITY MANAGER TO EXECUTE A REGULATORY AGREEMENT WITH THE HOUSING AUTHORITY OF SAN LUIS OBISPO"***.

9.k Consideration of Adoption of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code Regarding Emergency Shelters; Development Code Amendment 23-004

Moved by Council Member George
Seconded by Council Member Guthrie

Adopted an Ordinance entitled: ***"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING SECTIONS 16.36.030 AND 16.52.091 OF THE ARROYO GRANDE MUNICIPAL CODE REGARDING EMERGENCY SHELTERS AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT"***; and found that the Ordinance is exempt from the California Environmental Quality Act (CEQA) because it will not result in a direct or reasonably foreseeable indirect physical change in the environment. (State CEQA Guidelines sections 15060, subd. (c)(2), (3); 15061(b)(3)).

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

ABSTAINED (1): Mayor Pro Tem Barneich

Passed (4 to 0)

9.n Consideration of Temporary Use Permit 23-006; Authorizing Closure of City Streets and Use of City Property for the 84th Annual Arroyo Grande Valley Harvest Festival, Friday and Saturday, September 29-30, 2023; Applicant – Jim Guthrie

Moved by Mayor Pro Tem Barneich

Seconded by Council Member George

Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT 23-006, AUTHORIZING CLOSURE OF CITY STREETS AND USE OF CITY PROPERTY FOR THE 85th ANNUAL ARROYO GRANDE VALLEY HARVEST FESTIVAL, FRIDAY AND SATURDAY, SEPTEMBER 29-30, 2023"***.

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

ABSTAINED (1): Council Member Guthrie

Passed (4 to 0)

10. PUBLIC HEARINGS

10.a Consideration of Conditional Use Permit 23-001 and Request for Fee Waiver; Corbett Creek Floodplain and Stream Restoration Project- Corbett Creek Between E Branch St and 379 Corbett Canyon Rd; Applicant - Coastal San Luis Resource Conservation District

Community Development Director Pedrotti introduced the item and Associate Planner Holub provided a presentation on the item and responded to questions from Council.

Mayor Ray Russom opened the public hearing. Speaking from the public were No Name Provided, Jeff Martin, Gary, No Name Provided, Duane Leib, Jennifer Martin, Nancy Macy, No Name Provided, Todd Tuttle, Hallie Richard, Charlie, Christina Carrol, No Name Provided, No name Provided, Monica Wall. Upon hearing no further public comments, Mayor Ray Russom closed the public hearing. Mr. Holub, Assistant City Manager/Public Works Director Robeson, and Hallie Richard, San Luis Obispo County Resource Conservation District, responded to questions from the public.

Council discussion ensued regarding support of the Project. City Attorney Rosen provided clarification regarding Conditional Use Permits (CUPs) and requested that the motion maker add a condition.

Moved by Council Member Guthrie

Seconded by Council Member Secrest

Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING CONDITIONAL USE PERMIT 23-001 AND GRANTING A FEE WAIVER FOR THE ASSOCIATED APPLICATION FEES; LOCATION – AN APPROXIMATELY ONE-MILE STRETCH OF CORBETT CREEK BETWEEN EAST BRANCH STREET AND 379 CORBETT CANYON ROAD; APPLICANT – COASTAL SAN LUIS RESOURCE CONSERVATION DISTRICT"** as amended to include an additional condition to read: The approval shall be considered vested after completion of the first phase of construction.

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

Passed (5 to 0)

11. **OLD BUSINESS**

Mayor Ray Russom called for a brief break at 8:15 p.m. The Council reconvened at 8:25 p.m.

11.a **Consideration of Approval of the Halcyon Road Complete Streets Plan and Adoption of the Mitigated Negative Declaration**

Community Development Director Pedrotti introduced the item and Todd Tregenza, GHD, provided a presented the Plan, Initial Study and Mitigated Negative Declaration.

Mayor Ray Russom invited public comment. Speaking from the public were Linda Willett, Geoff Straw, Jimmy, Betty Winholtz, Nancy Bask, No Name Provided, Ken Dalebout, Natania, Michael Skenen. No further public comments were received.

Council discussion ensued regarding support for the project.

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 TO ADOPT THE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT REPORT AND APPROVE THE HALCYON COMPLETE STREETS PLAN"**; 2) Approve the Halcyon Road Complete Streets Plan; and 3) Direct staff to complete design and engineering for construction of the Plan, including Alternative 2 identified for the Halcyon/Fair Oaks intersection.

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

Passed (5 to 0)

12. **NEW BUSINESS**

12.a **Appointment of Interim City Manager and Approval of Employment Agreement**

City Attorney Rosen commented on the terms of the Interim City Manager Contract.

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

Moved by Mayor Pro Tem Barneich
Seconded by Council Member Guthrie

Appoint Bill Robeson as the Interim City Manager and approve the employment agreement in substantial final form subject to any minor technical changes that may be necessary.

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

Passed (5 to 0)

12.b Discussion and Consideration of Support for the Regional Housing and Infrastructure Plan

Community Development Director Pedrotti introduced the item. Carolyn Berg, Cobalt Collaborative and Sarah Sanders, SLOCOG, presented findings and responded to questions from Council.

Mayor Ray Russom invited public comment. Speaking from the public were No Name Provided, Betty Winholtz, and Natalia. No further public comments were received.

Council discussion ensued regarding support of the Plan.

Moved by Council Member Guthrie
Seconded by Council Member George

Recommitment to the 2020 San Luis Obispo Countywide Regional Compact and direct staff to return with a discussion on ways to utilize and implement the Regional Housing and Infrastructure Plan during the comprehensive General Plan update.

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

Passed (5 to 0)

13. COUNCIL COMMUNICATIONS

Mayor Ray Russom stated that she spoke at the Diablo Canyon's relicensing hearing and thanked the Council for covering while she was out.

Council Member George requested that the Council consider directing staff to agendize a discussion item regarding dedicating a park bench in honor of former Planning Commissioner, John Keen. Mayor Ray Russom concurred.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 10:56 p.m. in honor of former Planning Commissioner and community leader, John Keen.

Caren Ray Russom, Mayor

ATTEST:

Jessica Matson, City Clerk