



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

June 27, 2023, 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 Barneich (virtual), 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, Community Development Director Brian Pedrotti, Planning Manager Andrew Perez, Utilities Manager Shane Taylor, City Engineer Shannon Sweeney

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

1. 5:00 PM 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. Mayor Pro Tem Barneich was in attendance via teleconference from the address published on the Agenda.

3. FLAG SALUTE

Mayor Ray Russom led the flag salute.

4. CLOSED SESSION ITEMS

City Attorney Rosen announced the City Council will recess to a closed session for the following:
CONFERENCE WITH LABOR NEGOTIATORS PER GOVERNMENT CODE SECTION 54957.6

1. City Manager
 - a. City-designated negotiators: Isaac Rosen, City Attorney; Nicole Valentine, Administrative Services Director

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

PUBLIC EMPLOYEE APPOINTMENT

Position: City Manager

CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8:

Property: 400 West Branch Street

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

5. PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS

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

6. ADJOURN TO CLOSED SESSION

Mayor Ray Russom adjourned to Closed Session at 5:04 p.m.

7. 6:00 PM RECONVENE TO OPEN SESSION

1. CALL TO ORDER

Mayor Ray Russom called the Regular City Council Meeting to order at 6:02 p.m.

2. ROLL CALL

City Clerk Matson took roll call. Mayor Pro Tem Barneich was in attendance via teleconference from the address published on the Agenda.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Mayor Ray Russom led the flag salute.

5. AGENDA REVIEW

Council concurred to hear Item 12.a. before Item 10.a.

5.a Closed Session Announcements

City Attorney Rosen announced that there was no reportable action.

5.b Ordinances read in title only

Moved by Mayor Ray Russom
Seconded by Council Member George

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

Passed (5 to 0)

6. SPECIAL PRESENTATIONS

6.a Introduction of New Employee – City Engineer Shannon Sweeney

Assistant City Manager/Public Works Director Robeson introduced Shannon Sweeney, the City's new City Engineer, and highlighted her educational and professional background. Ms. Sweeney addressed the Council.

6.b Honorary Proclamation – Parks Make Life Better Month

Mayor Ray Russom read the Honorary Proclamation Declaring July 2023 as Parks Make Life Better! Month. Brianna Gould, Acting Recreation Coordinator, accepted the proclamation.

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

No action was taken on this item.

6.c City Manager Communications

City Manager McDonald provided information regarding the Summer Concert Series; Fireworks regulations; FEMA funds available for those affected by the March storms; 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.

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 - Five Cities Fire Authority Board

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 Arroyo Grande Business Meeting
3. South County Chambers of Commerce Governmental Affairs Committee
4. Other

8. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Ray Russom invited public comment. Speaking from the public were Gaea Powell, and Michael Punsalon. No further public comments were received. City Attorney Rosen 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. Council Member Secrest commented on Item 9.g.

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

Moved by Council Member George
Seconded by Council Member Secrest

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

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

Passed (5 to 0)

9.a Consideration of Cash Disbursement Ratification

- 1) Ratified the listing of cash disbursements for the period of May 16 through May 31, 2023; and
- 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 Approval of Fiscal Year 2023-24 Appropriation Limit

1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING A TAX PROCEEDS EXPENDITURE APPROPRIATION LIMIT FOR FISCAL YEAR 2023-2024"***; and 2) Determined that the adoption of 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.)

9.c Adoption of FY 2023-25 Biennial Budget and FY 2023-28 Capital Improvement Program Budget

1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING THE FISCAL YEAR 2023-25 BUDGET AND MAKING APPROPRIATIONS FOR THE AMOUNT BUDGETED"***; and 2) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING THE FISCAL YEAR 2023-2025 CAPITAL IMPROVEMENT PROGRAM BUDGET AND MAKING APPROPRIATIONS FOR THE AMOUNT BUDGETED"***.

9.d Resolutions Establishing Salary and Benefits for Management and Part-Time Employees for FY 2023-24 and Approval of the Updated Citywide Combined Salary Schedule

1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ESTABLISHING WAGES AND BENEFITS FOR MANAGEMENT EMPLOYEES FOR FISCAL YEARS 2023-24"***; 2) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING COMPENSATION ADJUSTMENTS FOR PART-TIME EMPLOYEES"***; and 3) Determined that adopting the unrepresented Management employees resolution, unrepresented part-time employees resolution, and updated Citywide combined salary schedules 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.e 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) 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.f Approval of Minutes

Approved the minutes of the Regular City Council Meeting of June 13, 2023, as submitted.

9.g Consideration of Appointment to the Architectural Review Committee

Approved the recommendation of Council Member Secrest to appoint Janet Huston to the Architectural Review Committee.

9.h Approve the Memorandum of Understanding and Agreement Between the Arroyo Grande Police Department and the Lucia Mar Unified School District for School Resource Officer Services

1) Approved an agreement between the City of Arroyo Grande and the Lucia Mar Unified School District (LMUSD) to share the cost of salary and benefits for one School Resource Officer (SRO) position in Fiscal Year (FY) 2023-24; and 2) Found 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.)

9.i May 2023 Monthly Water Supply and Demand Update

Received and filed the Monthly Water Supply and Demand Update.

10. PUBLIC HEARINGS

10.a Consideration of Adoption of Resolutions Approving the 2022 Urban Water Management Plan and the 2022 Water Shortage Contingency Plan

Assistant City Manager/Public Works Director Robeson introduced the item and Spencer Waterman, Water Systems Consulting, provided a presentation on the 2022 Urban Water Management Plan and Water Shortage Contingency Plan. Utilities Manager Shane Taylor provided comments on the Plans. Staff 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 Guthrie
Seconded by Mayor Ray Russom

1) Conduct a public hearing to receive input on the 2022 Urban Water Management Plan and Water Shortage Contingency Plan; 2) Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING THE 2022 URBAN WATER MANAGEMENT PLAN AND THE WATER SHORTAGE CONTINGENCY PLAN AND AUTHORIZING THEIR SUBMITTAL TO THE DEPARTMENT OF WATER RESOURCES"**; with the modification to page 13 of the Water Contingency Plan to change the number of household members to four (4) and above with 250 gallons of water per household and authorizing the City Manager or their designee to file the updated WSCP to the Department of Water Resources; and make findings that adoption the Urban Water Management Plan and Water Shortage Contingency Plan is exempt from the California Environmental Quality Act ("CEQA") in accordance with section 10652 of the California Water Code.

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

Passed (5 to 0)

10.b Consideration of Adoption of Resolutions Directing the Levy of the Annual Assessments for the Parkside Village and Grace Lane Assessment Districts and the Arroyo Grande Landscaping and Lighting Assessment District No. 1, Within Tract 1769, for FY 2023-24

Item 10.b. was heard before item 10.a.

Assistant City Manager/Public Works Director Robeson presented the item.

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

Moved by Council Member George
Seconded by Council Member Guthrie

Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DIRECTING THE LEVY OF THE ANNUAL ASSESSMENTS RELATED TO THE PARKSIDE VILLAGE ASSESSMENT DISTRICT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (STREETS AND HIGHWAYS CODE SECTIONS 22500 ET. SEQ.) FOR FISCAL YEAR 2023-2024"**

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

Passed (5 to 0)

Moved by Council Member George
Seconded by Council Member Guthrie

Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DIRECTING THE LEVY OF THE ANNUAL ASSESSMENTS RELATED TO THE GRACE LANE ASSESSMENT DISTRICT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (STREETS AND HIGHWAYS CODE SECTIONS 22500 ET. SEQ.) FOR FISCAL YEAR 2023-2024"**

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

Passed (5 to 0)

Moved by Council Member George
Seconded by Council Member Guthrie

Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE Directing the LEVY of the ANNUAL ASSESSMENTS RELATED TO THE ARROYO GRANDE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1, WITHIN TRACT 1769, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (STREETS AND HIGHWAYS CODE SECTIONS 22500 ET. SEQ.) FOR FISCAL YEAR 2023-2024".**

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

Passed (5 to 0)

10.c Public Hearing to Discuss and Consider Introduction of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code Regarding Emergency Shelters; Development Code Amendment 23-004

Mayor Ray Russom called for a brief break at 8:25 p.m. The Council reconvened at 8:32 p.m.

Mayor Pro Tem Barneich declared a potential conflict of interest due to her involvement on the Homeless Services Oversight Council, recused herself out of an abundance of caution, and left the meeting.

Community Development Director Pedrotti introduced the item and Planning Manager Perez provided a presentation on Emergency Shelters and responded to questions from Council.

Mayor Ray Russom opened the public hearing. Speaking from the public was No Name Provided. Upon hearing no further public comments, Mayor Ray Russom closed the public hearing.

Moved by Council Member George
Seconded by Council Member Secrest

Introduce 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**".

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

ABSENT (1): Mayor Pro Tem Barneich

Passed (4 to 0)

11. OLD BUSINESS

None.

12. NEW BUSINESS

This item was heard after the Consent Items.

12.a Study Session to Discuss Potential Restrictions on Irrigated Turf Installation and Use Citywide

Community Development Director Pedrotti introduced the item and Planning Manager Perez provided a presentation on potential restrictions on irrigated turf installation and use within the City. Staff responded to questions from Council.

Mayor Ray Russom invited public comment. Speaking from the public were No Name Provided, No Name Provided. No further public comments were received. Planning Manager Perez responded to questions from the public.

Council discussion ensued regarding turf restrictions and support of no irrigated turf on new non-residential and creating a 50% trigger for bringing current locations into compliance; no irrigated turf on new residential in front of the residence; a limit of 25% turf in the back of the residence with a 50% trigger; allowing 25% turf in the front of the residence if there is no backyard; and including thresholds with minimums and maximums for large versus small yards.

No action was taken on this item. Council provided direction to staff.

Mayor Pro Tem Barneich disconnected from the meeting at 6:52 p.m. and rejoined at 7:03 p.m.

13. COUNCIL COMMUNICATIONS

None.

City Attorney Rosen commented on the process to adjourn to Closed Session should Council wish to do so.

Moved by Council Member George

Seconded by Council Member Guthrie

Adjourn to Closed Session to discuss:

CONFERENCE WITH LABOR NEGOTIATORS PER GOVERNMENT CODE SECTION 54957.6

City Manager

City-designated negotiators: Isaac Rosen, City Attorney; Nicole Valentine, Administrative Services Director

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

PUBLIC EMPLOYEE APPOINTMENT

Position: City Manager

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

Passed (4 to 0)

14. ADJOURNMENT

Mayor Ray Russom adjourned to Closed Session at 8:48 p.m.

City Attorney Rosen announced there was no reportable action.

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 10:28 p.m.

Caren Ray Russom, Mayor

Jessica Matson, City Clerk