



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

November 14, 2023, 5:30 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, Interim City Manager Bill Robeson, Administrative Services Director Nicole Valentine, Community Development Director Brian Pedrotti, Planning Manager Andrew Perez, Interim Public Works Director Shannon Sweeney

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

CLOSED SESSION MEETING 5:30 P.M.

1. CALL TO ORDER

Mayor Ray Russom called the meeting to order at 5:30 p.m.

2. ROLL CALL

City Clerk Matson took roll call. Mayor Pro Tem Barneich and Council Member Secrest were absent at the time of roll call.

Council Member Secrest joined the meeting at 5:31 p.m.

3. FLAG SALUTE

Mayor Ray Russom led the flag salute.

4. PUBLIC COMMENT ON CLOSED SESSION ITEMS

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

5. CLOSED SESSION

City Attorney Rosen announced that the City Council will recess to a closed session for the following and will report any reportable action at the City Council Regular meeting at 6:00 p.m.:

a) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: In re: Aqueous Film-Forming Foams Products Liability Litigation, Case No. 2:18-mn-2873-RMG

The City Council adjourned to Closed Session at 5:32 p.m.

6. ADJOURNMENT

The City Council adjourned Closed Session at 5:50 p.m.

REGULAR MEETING 6:00 P.M.

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

Anne McCrackin, Arroyo Grande Valley Kiwanis led the flag salute.

5. AGENDA REVIEW

5.a Closed Session Announcements

City Attorney Rosen announced that the Council considered the item in Closed Session and voted 4-0 to opt out of the settlement.

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 Honorary Proclamation Recognizing November 2023 as "Family Court Awareness Month"

Mayor Ray Russom read the Honorary Proclamation Recognizing November 2023 as "Family Court Awareness Month". Tina Swithen accepted the proclamation.

No action was taken on this item.

6.b Honorary Proclamation Recognizing November 13-19, 2023 as "National Apprenticeship Week"

Mayor Ray Russom read the Honorary Proclamation Recognizing November 13-19, 2023 as "National Apprenticeship Week". Cory Black, accepted the proclamation.

No action was taken on this item.

6.c Introduction of New Employee Ryan Bird, FCFA Battalion Chief

Chief Lieberman introduced Ryan Bird as Five Cities Fire Authority's new Battalion Chief and highlighted his educational and professional background.

6.d Interim City Manager Communications

Interim City Manager Robeson provided an update on the Corbett Canyon Creek Restoration Project; Arroyo Grande Creek clean up; parklet installations; ROW Project at 191 Tally Ho Road; and planter installation at Short Street. Interim City Manager Robeson responded to questions from Council.

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

No action was taken on this item.

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

7. CITY COUNCIL REPORTS

None.

Reports are made during the Second Council Meeting each month.

8. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Ray Russom invited public comment. Speaking from the public was No Name Provided. 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.

Staff responded to questions from Council regarding Item 9.c.

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

Moved by Mayor Pro Tem Barneich
Seconded by Council Member George

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

AYES (5): Mayor Pro Tem Barneich, Council Member George, Council Member Guthrie, Council Member Secret, 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 October 1 through October 15, 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 attached report listing investment deposits of the City of Arroyo Grande as of September 30, 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 Fiscal Year 2022-23 Year End Financial Status Report

Received, considered, and filed the FY 2022-23 Year End Financial Status Report.

9.d Approval of Minutes

Approved the minutes of the Regular Meeting of October 24, 2023 and Special City Council Meeting of October 30, 2023, as submitted.

9.e Consideration of Acceptance of the Fair Oaks Avenue Waterline Replacement Project, PW 2023-05

1) Accepted the project improvements as constructed by Main Line Engineering Construction, Inc. in accordance with the plans and specifications for the Fair Oaks Avenue Waterline Replacement Project, PW 2023-05; 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.

10. PUBLIC HEARINGS

10.a Public Hearing to Consider the User Fee Study and Adopt a Resolution Updating User Fees Set Forth in the Comprehensive Fee Schedule

Administrative Services Director Valentine introduced the report and Tony Thrasher, Willdan Financial Services, provided a presentation on the Cost Allocation Plan and the User Fee Update. 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 George
Seconded by Council Member Guthrie

1) Adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE UPDATING USER FEES FOR VARIOUS CITY REGULATORY***

ACTIVITIES, PROGRAMS, AND SERVICES SET FORTH IN THE COMPREHENSIVE FEE SCHEDULE AND FINDING THE ACTION EXEMPT UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT"; and 2) Determine that ratifying 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. (c)(2)-(3), 15378.)

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

Passed (5 to 0)

10.b Public Hearing to Consider Introduction of an Ordinance Amending Title 16 of the Arroyo Grande Municipal Code Regarding Restrictions on Irrigated Turf and Finding This Action Exempt from The California Environmental Quality Act

Community Development Director Pedrotti introduced the item and Planning Manager Perez provided a presentation on the proposed Code amendments pertaining to irrigated turf restrictions. 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.

Council discussed the addition of a requirement as part of substantial residential remodels including that, when 50% or more of the floor area is remodeled, removal of existing front yard turf and the reduction of backyard turf will be required.

Moved by Council Member George
Seconded by Mayor Ray Russom

1) Introduce an Ordinance entitled: **"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AMENDING CHAPTER 16.84 OF THE ARROYO GRANDE MUNICIPAL CODE REGARDING RESTRICTIONS ON IRRIGATED TURF AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT";** amending Section 16.84 of the Arroyo Grande Municipal Code regarding installation and maintenance of irrigated turf, with the amendment requiring substantial residential remodels of 50% or more be required to remove existing front yard turf and reduce backyard turf; and 2) Determine that the Ordinance amendments are exempt under the California Environmental Quality Act as set forth in the proposed Ordinance, pursuant to State Guidelines Sections 15060(c)(2),(3), 15378, and in the alternative, State CEQA Guidelines Section 15061(b)(3).

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

Passed (5 to 0)

11. OLD BUSINESS

None.

12. NEW BUSINESS

12.a Consideration of Appointment of a Primary Board Member to Serve on the Central Coast Community Energy Policy Board for 2023-2025

City Clerk Matson presented the staff report and recommended that the Council appoint a Council member to serve as the primary representative on the Central Coast Community Energy (CCCE) Policy Board for a two-year term beginning December 1, 2023, and ending November 30, 2025.

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

Council Member Guthrie expressed interest in serving on the Board. Mayor Ray Russom nominated Council Member Guthrie to serve on the CCCE Policy Board.

Mayor Pro Tem Barneich shared information regarding rates and CCCE billing.

Moved by Mayor Ray Russom
Seconded by Council Member George

Appoint Council Member Guthrie to serve as the primary representative on the Central Coast Community Energy (CCCE) Policy Board for a two-year term beginning December 1, 2023, and ending November 30, 2025

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

Passed (5 to 0)

13. COUNCIL COMMUNICATIONS

Mayor Ray Russom commented on an email she received regarding a fee waiver for Tally Ho residents and requested staff bring back a discussion item on a future City Council agenda. Mayor Pro Tem Barneich and Council Member Secret concurred.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 7:53 p.m. in honor of the City Council and thankfulness for their hard work.

Caren Ray Russom, Mayor

ATTEST:

Jessica Matson, City Clerk