



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

October 10, 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, Interim City Manager Bill Robeson, Community Development Director Brian Pedrotti, City Engineer Shannon Sweeney, Administrative Services Director Nicole Valentine

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

Mayor Ray Russom led the flag salute.

5. AGENDA REVIEW

5.a Closed Session Announcements

None.

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.

Passed

6. SPECIAL PRESENTATIONS

6.a Honorary Proclamation Recognizing Arroyo Grande High School Water Polo Coach Steven Allen

Mayor Ray Russom read the Honorary Proclamation Recognizing Arroyo Grande Water Polo Coach Steven Allen. Steven Allen accepted the proclamation.

Mayor Ray Russom invited public comment. Speaking from the public were Kayla, Brooklyn, Brandy Pasquini, Glenn Martin, No Name Provided, Eric Marsh, Sage, Miles Whitfield, and Andy Burnette.

No action was taken on this item.

Mayor Ray Russom called for a brief break from 6:27 p.m. to 6:35 p.m.

6.b Interim City Manager Communications

Interim City Manager Robeson provided an update regarding the General Plan Update Workshop held on October 5th and the City's new mobile app. City Engineer Sweeney provided an update regarding the Fair Oaks Waterline Project, Concrete Repairs Project, Tally Ho Frontage Improvements Project, Public Safety Camera Project, and Swinging Bridge Retrofit Project.

No action was taken on this item.

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 Gaea Powell, Alexandria, and Kacey Collins.

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 Mayor Pro Tem Barneich
Seconded by Council Member George

AYES (5): Mayor Pro Tem Barneich, Council Member George, Council Member Guthrie, Council Member Secrest, 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 September 1 through September 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 August 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 Consider Adoption of an Ordinance Updating Chapter 3.08 of the City's Municipal Code Related to Purchasing

1) Adopted an Ordinance of the City Council of Arroyo Grande, Amending Arroyo Grande Municipal Code Chapter 3.08 of Title 3 to Update the City's Purchasing System; 2) Determined that ratifying the Ordinance Adoption 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 Approval of Minutes

Approved the minutes of the Regular City Council Meeting of September 26, 2023, as submitted.

9.e Consideration of Cancellation of the December 26, 2023 City Council Meeting

Canceled the regularly scheduled Council meeting of December 26, 2023, due to the holidays.

9.f Consideration of Adoption of an Ordinance to Reduce the Speed Limit on Tally Ho Road

1) Adopted the Ordinance authorizing a speed limit reduction on Tally Ho Road between James Way and Highway 227 from 35 mph to 30 mph and 2) Made findings that the speed limit adjustment 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.g Consideration of Agreement for Contractor Services for Arroyo Grande Creek Fallen and Undermined Tree, Debris Removal;

1) Authorized the City Manager to execute the agreement for Contractor Services with Bunyon Brothers Tree Care, Inc. for Arroyo Grande Creek fallen and undermined tree and debris removal; and 2) Made findings that the entire Project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15269 and Executive Order No. N-10-23 and direct staff to file a Notice of Exemption for this project.

9.h Consideration of Temporary Use Permit 23-009 Authorizing Temporary Closure of Branch Street for Halloween in the Village from 3:00 PM to 7:00 PM Tuesday, October 31, 2023;

1) Adopted a Resolution approving Temporary Use Permit 23-009 authorizing the closure of East and West Branch Streets to accommodate Halloween in the Village; and 2) Determined that this project is categorically exempt per Section 15304(e) of the CEQA Guidelines regarding minor temporary uses of land.

9.i Consideration of Temporary Use Permit 23-010 Authorizing Use of Heritage Square Park for the 2023 Arroyo Grande Beer and Wine Festival;

1) Adopted a Resolution approving Temporary Use Permit 23-010 authorizing the use of Heritage Square Park for the 2023 Arroyo Grande Beer and Wine Festival; and 2) Determined that this project is categorically exempt per Section 15304(e) of the CEQA Guidelines regarding minor temporary uses of land.

10. PUBLIC HEARINGS

None.

11. OLD BUSINESS

None.

12. NEW BUSINESS

12.a Discussion of Formula Businesses in the Arroyo Grande Village

Community Development Director Pedrotti presented the staff report and recommended Council review staff's draft ordinance, receive public comment, and provide direction to staff. Director Pedrotti provided a revised map to Council. Staff responded to questions from Council.

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

Council discussion ensued regarding legally non-confirming businesses, impacts on small businesses, and the draft ordinance. City Attorney Rosen provided legal clarification regarding the draft ordinance. Council requested staff provide clarification in the ordinance regarding a legally non-conforming designation when a business is sold.

Moved by Council Member Guthrie
Seconded by Mayor Pro Tem Barneich

1) Direct staff to bring back the Ordinance for Council consideration, eliminating the restaurant and retail exceptions; 2) Explore increasing the number of establishments that define a "formula business;" 3) Add "services" to list of definition of businesses; and 4) Remove "limited to" from list of types of businesses.

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

Passed (5 to 0)

13. COUNCIL COMMUNICATIONS

Council Member Guthrie requested an update on the Safe Parking Ordinance.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 8:20 p.m.

Caren Ray Russom, Mayor

ATTEST:

Jessica Matson, City Clerk