

**RESOLUTION NO. 4830**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING AN APPLICATION BY DARREN SHETLER TO INSTALL A TEMPORARY IRRIGATION WELL FOR AGRICULTURAL PURPOSES ON A PROPERTY ZONED PLANNED DEVELOPMENT; APN 007-781-55; NOYES ROAD, ARROYO GRANDE**

**WHEREAS**, Darren Shetler has submitted an application to drill a temporary well for interim agricultural use at property on Noyes Road in Arroyo Grande; and

**WHEREAS**, Municipal Code Chapter 13.08 requires City Council review and approval of all new or replacement wells; and

**WHEREAS**, based upon studies submitted by the Cleath-Harris Geologists, Inc. dated November 9, 2017, the City Council finds the proposed well will neither deplete nor contaminate the City water supply; and

**WHEREAS**, based upon the interim agricultural use and the distance from existing City water infrastructure, the City Council finds that service from the City's water system is neither practical nor feasible..

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Arroyo Grande does hereby approve the application to drill and install an irrigation well at Noyes Road, subject to the conditions as set forth in Exhibit "A", attached hereto and incorporated herein by this reference.

On motion of Council Member Brown, seconded by Council Member Barneich, and on the following roll call vote, to wit:

**AYES:** Council Members Brown, Barneich, Harmon, Ray, and Mayor Hill  
**NOES:** None  
**ABSENT:** None

the foregoing Resolution was passed and adopted this 12<sup>th</sup> day of December, 2017.

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\_\_\_\_\_  
JIM HILL, MAYOR

ATTEST:

  
\_\_\_\_\_  
KELLY WETMORE, CITY CLERK

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
JAMES BERGMAN, CITY MANAGER

APPROVED AS TO FORM:

  
\_\_\_\_\_  
HEATHER WHITHAM, CITY ATTORNEY

**EXHIBIT "A"**

**CONDITIONS OF APPROVAL FOR A TEMPORARY  
TESTIRRIGATION WELL  
DARREN SHETLER/AGC HOLDING CORPORTATION  
APN 007-781-055 and -056 NOYES ROAD**

**GENERAL CONDITIONS:**

1. The applicant shall ascertain and comply with all State, County and City requirements as are applicable to this project.
2. The event shall occur in substantial conformance with the application and plans on file in the Public Works Department.
3. The applicant shall agree to defend at his/her sole expense any action brought against the City, its agents, officers, or employees because of the issuance of said approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers, or employees, for any court costs and attorney fees, with the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his/her obligations under this condition.
4. The irrigation meter serving APN 007-781-056 shall be abandoned.
5. Results from well tests for the purposes of installation of an agricultural irrigation well outlined in the Cleath-Harris Geologists, Inc. Well Impact Discussion shall be reported to the City prior to well operation.
6. The applicant shall install a meter on the well head and report annual pumping amount to the City by December 31<sup>st</sup> of each year.
7. An approved backflow device shall be installed per City standard on the water meter service.

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8. This approval is to install a temporary well for on-site interim agricultural purposes and is valid for five (5) years. If so directed by the City in the event a permanent well approval is not obtained within five (5) years, the applicant shall abandon the well and supply the Public Works Department with a letter stating said abandonment by the County of San Luis Obispo Public Health Department.
9. A copy of the well/driller report required by the provisions of Section 13751 of the Water Code of the State shall be submitted to the Public Works Department upon completion of the construction of the well.

### OFFICIAL CERTIFICATION

I, **KELLY WETMORE**, City Clerk of the City of Arroyo Grande, County of San Luis Obispo, State of California, do hereby certify under penalty of perjury, that the attached Resolution No. 4830 was passed and adopted at a regular meeting of the City Council of the City of Arroyo Grande on the 12<sup>th</sup> day of December, 2017.

**WITNESS** my hand and the Seal of the City of Arroyo Grande affixed this 18<sup>th</sup> day of December, 2017.

  
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**KELLY WETMORE, CITY CLERK**