



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

November 28, 2023, 5:00 p.m.
Hybrid City Council Chamber/Virtual Zoom Meeting
215 East Branch Street, Arroyo Grande

Council Members Present: Mayor Pro Tem Barneich, Council Member George, Council Member Guthrie, Council Member Secret

Council Members Absent: Mayor Ray Russom

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, Interim Public Works Director/City Engineer Shannon Sweeney, IT Manager Kevin Waddy

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

CLOSED SESSION MEETING 5:00 P.M.

1. CALL TO ORDER

Mayor Pro Tem Barneich called the meeting to order at 5:00 p.m.

2. ROLL CALL

City Clerk Matson took roll call. At the time of roll call, Mayor Ray Russom was absent.

3. FLAG SALUTE

Mayor Pro Tem Barneich led the flag salute.

4. PUBLIC COMMENT ON CLOSED SESSION ITEMS

Mayor Pro Tem Barneich invited public comment. No comments were received.

5. CLOSED SESSION

City Attorney Rosen announced the City Council will recess to a closed session for the following:

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

PUBLIC EMPLOYEE APPOINTMENT

Position: City Manager

b) LABOR NEGOTIATION PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: City Attorney

Unrepresented employee: City Manager

c) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: 1 potential case.

City Council adjourned to Closed Session at 5:02 p.m.

Mayor Ray Russom joined the meeting at 5:02 p.m.

6. ADJOURNMENT

Closed Session was adjourned at 6:00 p.m.

REGULAR MEETING 6:00 P.M.

1. CALL TO ORDER

Mayor Pro Tem Barneich called the Regular City Council Meeting to order at 6:02 p.m.

2. ROLL CALL

City Clerk Matson took roll call. At the time of roll call, Mayor Ray Russom was absent.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Mayor Pro Tem Barneich led the flag salute.

5. AGENDA REVIEW

City Attorney Rosen announced that Item 12.a. regarding City Manager appointment would not be heard and would come to Council on a future agenda.

5.a Closed Session Announcements

City Attorney Rosen announced that there was no reportable action, but that the Council did not complete the closed session items and will be reconvening at the end of the open session meeting to complete closed session items.

City Council Closed Session Meeting of November 17, 2023

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

PUBLIC EMPLOYEE APPOINTMENT

Position: City Manager

City Council Closed Session Meeting of November 18, 2023

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

PUBLIC EMPLOYEE APPOINTMENT

Position: City Manager

City Council Closed Session Meeting of November 28, 2023

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

PUBLIC EMPLOYEE APPOINTMENT

Position: City Manager

b) LABOR NEGOTIATION PURSUANT TO GOVERNMENT CODE SECTION 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: City Attorney

Unrepresented employee: City Manager

c) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9:
1 potential case.

5.b Ordinances read in title only

Moved by Mayor Pro Tem Barneich
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 (4): Mayor Pro Tem Barneich, Council Member George, Council Member Guthrie, and Council Member Secrest

ABSENT (1): Mayor Ray Russom

Passed (4 to 0)

6. SPECIAL PRESENTATIONS

6.a Honorary Proclamation Designating December 2023 as Peace and Nonviolence Month

Mayor Pro Tem Barneich read the Honorary Proclamation Designating December 2023 as Peace and Nonviolence Month. Kathy Mink, Diversity Coalition, accepted the proclamation.

Mayor Pro Tem Barneich invited public comment. No public comments were received.

No action was taken on this item.

6.b Interim City Manager Communications

Interim City Manager Robeson thanked the Diversity Coalition for coming and accepting the Proclamation and for the work being done by their organization; made comments regarding the 46th Annual Turkey Trot; provided information regarding the Jingle Bell Dash and Holiday Parade; Holiday Boutique and Art in the Park; Tree Lighting and Snow events.

Interim Public Works Director/City Engineer Sweeney provided an update regarding the Village construction projects.

Mayor Pro Tem Barneich 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.

Mayor Pro Tem Barneich invited public comment. Speaking from the public was Alexandria Davis. No further public comments were received.

7.a MAYOR RAY RUSSOM:

1. California Joint Powers Insurance Authority (CJPIA)
2. Central Coast 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 Pro Tem Barneich invited public comment. No public comments were received.

9. CONSENT AGENDA

Mayor Pro Tem Barneich asked the Council if there were any questions or any items to be pulled from the consent agenda for further discussion. Council Member George asked questions of staff on Item 9.g.

In response to Council questions, Community Development Director Pedrotti provided an update regarding minor modifications made to the Ordinance in Item 9.g. City Attorney Rosen clarified that there were minor changes to the Ordinance beyond what was published.

Mayor Pro Tem Barneich invited public comment. No public comments were received.

Moved by Council Member George
Seconded by Council Member Guthrie

Approve Consent Agenda Items 9.a. through 9.g., with the recommended courses of action as amended with minor changes read into the record regarding Item 9.g.

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

ABSENT (1): Mayor Ray Russom

Passed (4 to 0)

9.a Consideration of Cash Disbursement Ratification

1) Ratified the listing of cash disbursements for the period of October 16 through October 31, 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 Approval of Minutes

Approved the minutes of the Regular City Council Meeting of November 14, 2023, and the Special City Council Meetings of November 17, 2023 and November 18, 2023, as submitted.

9.c Consider a Resolution Approving TUP 23-012; Authorize the Village Holiday Parade & Jingle Bell Dash on December 3, 2023; Approve Street Closures in the Village; and Find the Action Categorically Exempt from CEQA Pursuant to Section 15304(e)

Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT CASE NO. 23-012 AUTHORIZING THE VILLAGE HOLIDAY PARADE AND JINGLE BELL DASH ON SUNDAY, DECEMBER 3, 2023 AND DIRECTING STAFF TO IMPLEMENT RELATED SAFETY MEASURES INCLUDING NO PARKING ZONES AND STREET CLOSURES AND FINDING THE ACTION EXEMPT FROM CEQA"**.

9.d Consideration of a Two-Year Extension of the Five-Year Radar Speed Surveys for Selected City Streets

1) Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE EXTENDING THE CERTIFICATION OF THE 2018 FIVE-YEAR RADAR SPEED SURVEY FOR SELECTED CITY STREETS"**; and 2) Determined that this extension 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 Monthly Water Supply and Demand Update

Received and filed the Monthly Water Supply and Demand Update.

9.f Consideration of the Summary Vacation of a Public Utility Easement and Acceptance of a Grant of a Sanitary Sewer Easement and Located at 605 Eman Court

Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ORDERING THE SUMMARY VACATION OF A PUBLIC UTILITY EASEMENT, ACCEPTING A GRANT OF A SANITARY SEWER EASEMENT AT 605 EMAN COURT, AND MAKING A CEQA DETERMINATION REGARDING THE SAME"**.

9.g Consideration of Adoption 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

1) Adopted 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"**; and 2) Found that the Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(2), (3), 15378, and in the alternative, State CEQA Guidelines Section 15061(b)(3).

10. PUBLIC HEARINGS

10.a Consider a Resolution for the Installation of One (1) Domestic Well on Property Zoned Planned Development (PD); Applicant – Michael Harris; Representative – Richard Burde, SLO Civil Design

Mayor Pro Tem Barneich read staff's recommendation to continue the Item to January 9, 2024.

Moved by Council Member Guthrie
Seconded by Council Member George

On October 24, 2023, this public hearing item was opened and continued to a date certain of November 28, 2023. Staff requests that this item be considered on January 9, 2024, and will re-notice a public hearing for that date. City staff has worked with applicant to find a mutually satisfactory date for the hearing and determined January 9, 2024 works with applicant's availability.

AYES (4): Council Member Guthrie, Council Member George, Council Member Secret, and Mayor Pro Tem Barneich

ABSENT (1): Mayor Ray Russom

Passed (4 to 0)

11. OLD BUSINESS

11.a Consideration of an Award of Contract to ADT Commercial, LLC for Construction of the Public Safety Camera System Project, PW 2023-10 and Find the Action Exempt From CEQA

Interim Public Works Director/City Engineer Sweeney presented the report and responded to questions from Council.

Mayor Pro Tem Barneich invited public comment. Speaking from the public was Judy Cecchetti, and Alexandria Davis. No further public comments were received.

Moved by Council Member George
Seconded by Council Member Secret

1) Award a contract for the Public Safety Camera System Project to ADT Commercial, LLC in the amount of \$430,411, in substantially final form subject to any minor, technical or non-substantive changes approved by the City Manager in consultation with the City Attorney; 2) Authorize the City Manager to approve change orders of 20% of the contract amount, \$86,082.21, for unanticipated costs during the construction phase of the Project; 3) Determine that the Project is categorically exempt from the California Environmental Quality Act ("CEQA") under the Class 1 exemption, which applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing structures, facilities, mechanical equipment, or topographical features where the project involves negligible or no expansion of existing or former use. (State CEQA Guidelines, § 15301).

AYES (4): Council Member George, Council Member Secret, Council Member Guthrie, and Mayor Pro Tem Barneich

ABSENT (1): Mayor Ray Russom

Passed (4 to 0)

12. NEW BUSINESS

12.a Appointment of City Manager and Approval of Employment Agreement (contingent on status of recruitment and pending negotiation)

City Attorney Rosen announced during Agenda Review that this item would be heard at a future Council meeting.

12.b Consideration of an Agreement with A-Town AV for the Council Chamber Audio/Video System Project Upgrade and Request to Approve a Budget Adjustment Request and Find the Action Exempt from CEQA

IT Manager Waddy presented the item. IT Manager Waddy and Jason Allen, President of A-Town AV, responded to questions from Council.

Mayor Pro Tem Barneich invited public comment. Speaking from the public was Alexandria Davis. No further public comments were received.

Moved by Council Member Guthrie
Seconded by Council Member George

Approve an Agreement with A-Town AV for design and installation services for the Audio/Video system project upgrade and approve a budget adjustment request.

AYES (4): Council Member Guthrie, Council Member George, Council Member Secret, and Mayor Pro Tem Barneich

ABSENT (1): Mayor Ray Russom

Passed (4 to 0)

13. COUNCIL COMMUNICATIONS

Council Member George announced Giving Tuesday and encouraged everyone to give to organizations who do good in our community.

Mayor Pro Tem Barneich encouraged Central Coast Community Energy (CCCE) solar customers to request a rate comparison CCCE and PG&E.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Pro Tem Barneich adjourned the meeting at 7:29 p.m. to the continued closed session meeting. Any reportable action will be announced at the next regular City Council meeting.

City Council adjourned at 8:44 p.m.

Caren Ray Russom, Mayor

ATTEST:

Jessica Matson, City Clerk