

ACTION MINUTES

SPECIAL AND REGULAR MEETINGS OF THE CITY COUNCIL TUESDAY, JULY 27, 2021 COUNCIL CHAMBER, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

This City Council meeting was conducted in a hybrid in-person/virtual format as allowed by the Governor's Executive Order N-29-20, which allows for a deviation of teleconference rules required by the Ralph M. Brown Act.

SPECIAL MEETING 5:00 P.M.

1. CALL TO ORDER

Mayor Pro Tem Paulding called the Special City Council Meeting to order at 5:01 p.m.

2. ROLL CALL

Council Members Lan George, Keith Storton, Council Member Kristen Barneich, and Mayor Pro Tem Jimmy Paulding were present. Mayor Caren Ray Russom was present via teleconference.

Staff members present were City Manager Whitney McDonald, Assistant City Manager/Public Works Director Bill Robeson, City Attorney Timothy Carmel, and City Clerk Jessica Matson.

3. FLAG SALUTE

Council Member Barneich led the flag salute.

4. PUBLIC COMMENT ON CLOSED SESSION ITEMS

None.

CLOSED SESSION

The City Attorney announced that City Council would recess to a closed session for the following:

a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8:

Property: 400 Old Ranch Road, APN 007-011-056
Agency negotiators: Whitney McDonald, City Manager; Brian Pedrotti, Community Development Director
Negotiating parties: Kamla Hotels Inc. and The Mian Companies
Under negotiation: Price and terms of payment

RECONVENE

The City Council reconvened to open session at 6:00 p.m. in conjunction with the Regular City Council Regular Meeting. Announcements of any reportable action from the closed session were made under Item 5.a.

REGULAR MEETING 6:00 P.M.

1. CALL TO ORDER

Mayor Pro Tem Paulding called the Regular City Council Meeting to order at 6:00 p.m.

2. ROLL CALL

City Council: Council Members Lan George, Kristen Barneich, Keith Storton, and

Mayor Pro Tem Jimmy Paulding were present. Mayor Caren Ray Russom was present via teleconference.

Staff Present: City Manager Whitney McDonald, Assistant City Manager/Public Works Director Bill Robeson, City Attorney Timothy Carmel, City Clerk Jessica Matson, Community Development Director Brian Pedrotti, City Engineer Robin Dickerson, Administrative Services Director Nicole Valentine, Utilities Manager Shane Taylor were present.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Council Member Barneich led the flag salute.

5. AGENDA REVIEW

5.a. Closed Session Announcements.

Special Meeting of July 27, 2021

a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to Government Code Section 54956.8:

Property: 400 Old Ranch Road, APN 007-011-056
Agency negotiators: Whitney McDonald, City Manager; Brian Pedrotti, Community Development Director
Negotiating parties: Kamla Hotels Inc. and The Mian Companies
Under negotiation: Price and terms of payment

City Attorney Carmel announced that the City Council discussed negotiations with real property negotiators, and there was no reportable action.

5.b. Ordinances read in title only.

None.

6. SPECIAL PRESENTATIONS

6.a. Update Regarding Countywide COVID-19 Efforts.

Recommended Action: Receive update, accept public comments, discuss, and provide direction, as necessary.

City Manager McDonald provided a brief update on COVID-19 efforts as it relates to a hybrid in-person/virtual City Council meeting approach and responded to questions from Council.

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

No action was taken on this item.

6.b. City Manager Communications.

Recommended Action: Receive correspondence/comments as presented by the City Manager and provide direction, as necessary.

City Manager McDonald provided brief comments regarding the Summer Concert Series, water shortage emergency, Central Coast Blue, Cash 4 Grass Rebate Program, and parking in the Village.

Mayor Pro Tem Paulding invited public comment. Speaking from the public was Linda Osty. No further public comments were received.

No action was taken on this item.

6.c. Recognition of COVID Safety Superstars

City Manager McDonald announced the recipients of the COVID Safety Superstar: Branch Street Deli, Café Andreini, CJ's Café, CYB Studios, Starbucks at Grand and Elm, and the Village Bike Shop.

Jocelyn Brennan, South County Chambers of Commerce, congratulated all the businesses for their commitment to safety.

Stephanie Moran, CYB Studios and Denise Andreini, Café Andreini, thanked Council and staff for the recognition and for listening to businesses.

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

No action was taken on this item.

7. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Pro Tem Paulding invited public comment. Speaking from the public were Linda Osty, Jocelyn Brennan, Krista Bandy, and Ann Garner. No further public comments were received.

8. CONSENT AGENDA

Mayor Pro Tem Paulding asked the Council if there were any questions or any items to be pulled from the consent agenda for further discussion.

Council commented on items 8.e., 8.f., 8.h., 8.k., and 8.m.

Mayor Pro Tem Paulding invited public comment. Speaking from the public were Mark Perry, and Jeff Edwards. No further public comments were received.

Action: Council Member Barneich moved to approve Consent Agenda Items 8.a. through 8.p., with the recommended courses of action. Council Member George seconded, and the motion passed on the following roll-call vote:

AYES: Barneich, George, Storton, Paulding, Ray Russom
NOES: None
ABSENT: None

- 8.a. **Consideration of Cash Disbursement Ratification.**
Action: Ratified the listing of cash disbursements for the period June 16, 2021 through July 15, 2021.
- 8.b. **Consideration of Statement of Investment Deposits.**
Action: Approved the attached report listing of investment deposits of the City of Arroyo Grande, as of June 30, 2021, as required by Government Code Section 53646(b)
- 8.c. **Consideration of Approval of Minutes.**
Action: Approved the minutes of the Special and Regular City Council Meetings of June 22, 2021, as submitted.
- 8.d. **Adoption of a Resolution Declaring a Continued Local Emergency Related to the Coronavirus (COVID-19) Pandemic.**
Action: Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING A CONTINUED LOCAL EMERGENCY RELATED TO THE CORONAVIRUS (COVID-19) PANDEMIC"***.
- 8.e. **Consideration of Appointment to the Planning Commission.**
Action: Approved the appointment of Kevin Buchanan to the Planning Commission.
- 8.f. **Consideration of Appointment of Mayor Pro Tem Paulding to REACH's SLO Advisory Commission.**
Action: Approved the appointment of Mayor Pro Tem Paulding to the REACH SLO Advisory Commission.
- 8.g. **Consideration to Authorize an Award of Contract for Police and Public Works Fleet Leasing Program Including Vehicles, Financing, and Declaring Vehicles as Surplus Property.**
Action: 1) Approved a bid for the purchase of six police patrol vehicles and two public works trucks to Mullahey Ford of Arroyo Grande; award a bid for purchase of two police motorcycles to Long Beach BMW Motorcycles; and award a bid to Douglass Truck Body for the installation of a service bed to one of the new Public Works trucks; 2) Authorized financing these vehicles for a total not to exceed the amount of \$386,200 through a 4-year municipal lease from California First Leasing Corporation at an APR of 4.0% (4 annual payments of approximately \$96,539.16); 3) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING VEHICLES AS SURPLUS PROPERTY AND AUTHORIZING THEIR SALE"***; and 4) Authorized the City Manager to execute all necessary documents.
- 8.h. **Consideration of an Award of Contract to CalPortland Construction for Construction of the 2021 Concrete Repairs Project, PW 2021-02.**
Action: 1) Awarded a contract for the 2021 Concrete Repairs Project to CalPortland Construction in the amount of \$182,458; 2) Authorized the City Manager to approve change orders for 10% of the contract amount, \$18,245, for unanticipated costs during the construction phase of the project (total construction costs = \$182,458 + \$18,245 = \$200,703); and 3) Approved a Budget Adjustment Request to carryover \$95,000 of Local Sales Tax funds from FY 2020-21.
- 8.i. **Consideration of Updated Master Agreement Administering Agency-State Agreement for State-Funded Projects No. 05-5199S21.**
Action: 1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING MASTER AGREEMENT ADMINISTERING AGENCY-STATE AGREEMENT FOR STATE-FUNDED PROJECTS NO. 05-5199S21 AND APPOINTING THE MAYOR AS THE OFFICIAL REPRESENTATIVE AUTHORIZED TO SIGN THE MASTER AGREEMENT"***; and 2) Directed the City Clerk to submit the Master Agreement and authorizing Resolution to

- Caltrans.
- 8.j. **Consideration of Program Supplement No. 000000X01 to Administering Agency-State Agreement for State Funded Projects No. 05-5199S21 for Pedestrian Crossing Enhancements.**
Action: 1) Adopted a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING PROGRAM SUPPLEMENT NO. 000000X01 TO ADMINISTERING AGENCY-STATE AGREEMENT FOR STATE FUNDED PROJECTS NO. 05-5199S21 FOR PEDESTRIAN CROSSING ENHANCEMENTS AND APPOINTING THE MAYOR AS THE OFFICIAL REPRESENTATIVE AUTHORIZED TO SIGN THE PROGRAM SUPPLEMENT”**; and 2) Directed the City Clerk to submit the Program Supplement and authorizing Resolution to Caltrans.
- 8.k. **Consideration to Approve a Consultant Service Agreement with Water Systems Consulting, Inc. to Provide Staff Extension Services for the Northern Cities Management Area Technical Group for Five Years.**
Action: Approved a Consultant Services Agreement with WSC, Inc. for a term of five (5) years not to exceed the amount of \$32,000.00 each year.
- 8.l. **Consideration to Authorize the Purchase of Water Meters.**
Action: Approved the purchase of water meters from Aqua Metric in the amount of \$51,200 during FY 2021/22.
- 8.m. **Monthly Water Supply and Demand Update.**
Action: Received and filed the Monthly Water Supply and Demand Report.
- 8.n. **Consideration of Approval of On-Call Consultant Services Agreement in Sixteen Disciplines for Support for the Community Development and Public Works Departments.**
Action: 1) Approved and authorized the Mayor to execute the On-Call Consultant Services Agreements for the sixteen disciplines as listed in Table 2 through Table 17, subject to minor modifications determined to be necessary and appropriate by the City Attorney; and 2) Authorized staff to issue purchase orders for consultant services if the proposal cost is within the approved project or service budget.
- 8.o. **Consideration of Temporary Use Permit 21-003; Authorizing Closure of City Streets and Use of City Property for the 83rd Annual Arroyo Grande Valley Harvest Festival, Friday and Saturday, September 24-25, 2021; Applicant – Mark Perry.**
Action: Adopted a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT 21-003, AUTHORIZING CLOSURE OF CITY STREETS AND USE OF CITY PROPERTY FOR THE 83rd ANNUAL ARROYO GRANDE VALLEY HARVEST FESTIVAL, FRIDAY AND SATURDAY, SEPTEMBER 24-25, 2021”**.
- 8.p. **Consideration of a Resolution Accepting Public Improvements for Parcel Map 15-0012 (Vesting Tentative Parcel Map 15-001) and Planned Unit Development 15-001 Located at 1181 and 1183 Ash Street.**
Action: Adopted a Resolution entitled: **“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ACCEPTING PUBLIC IMPROVEMENTS FOR PARCEL MAP 15-0012 (VESTING TENTATIVE PARCEL MAP 15-001) AND PLANNED UNIT DEVELOPMENT 15-001, LOCATED AT 1181 AND 1183 ASH STREET”**.

9. PUBLIC HEARINGS

9.a. Continued Consideration of Approval of General Plan Amendment 20-001, Adoption of the Circulation Element Update, Mitigated Negative Declaration and Multimodal Transportation Impact Study Guidelines; Location – Citywide.

Community Development Director Pedrotti introduced the item and recommended that the Council adopt a Resolution: 1) Approving General Plan Amendment 20-001; 2) Adopting the 2021 Circulation Element Update; 3) Adopting the Mitigated Negative Declaration in compliance with the California Environmental Quality Act (CEQA), and 4) Adopting the Multimodal Transportation Impact Study Guidelines. City Engineer Robin Dickerson and City Manager McDonald answered questions from Council.

Mayor Pro Tem Paulding opened the public hearing. City Clerk Matson read into the record written correspondence received from Marsha Lee. Upon hearing no further public comments, Mayor Pro Tem Paulding closed the public hearing.

Action: Council Member Storton moved to adopt a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING GENERAL PLAN AMENDMENT NO. 20-001 ADOPTING THE CIRCULATION ELEMENT UPDATE, MITIGATED NEGATIVE DECLARATION, AND MULTIMODAL TRANSPORTATION IMPACT STUDY GUIDELINES”***. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

AYES: Storton, Barneich, George, Paulding, Ray Russom
NOES: None
ABSENT: None

9.b. Public Hearing to Receive Input from the Community Regarding the Creation of a District-Based Election System.

City Clerk Matson introduced the item and recommended that the Council 1) Receive a report from the consultant and staff on the districting process and permissible criteria to be considered to create district boundaries; 2) Conduct a public hearing to receive public input on district boundaries; and 3) Approve the timeline for developing and approving a Council district map. Daniel Phillips, National Demographics Corporation, gave a presentation on the district-based election system, a history of why the City is seeking district elections, and the proposed timeline. City Clerk Matson, City Attorney Carmel, and Mr. Phillips answered questions from the Council.

Mayor Pro Tem Paulding opened the public hearing. Speaking from the public were Linda Osty, Melissa Watkins, Jim Guthrie, and John Keen. Upon hearing no further public comments, Mayor Pro Tem Paulding closed the public hearing.

Council discussion ensued regarding outreach, public workshops and the creation of a Citizens Academy. Direction was given to staff to include voting precincts on the map filters, to bring back a districting outreach plan at the next City Council meeting on August 10, 2021, and to add a note on the districting timeline regarding noticing of public workshops as they are scheduled.

Action: Mayor Pro Tem Paulding moved to receive a report from the consultant and staff on the districting process and permissible criteria to be considered to create district boundaries; and to approve the timeline for developing and approving a Council district map as amended. Council Member Barneich seconded, and the motion passed on the following roll-call vote:

AYES: Paulding, Barneich, Storton, George, Ray Russom
NOES: None
ABSENT: None

10. OLD BUSINESS:

None.

11. NEW BUSINESS

11.a. Review and Provide Direction on Options for Reducing the City's Unfunded Accrued Liability; Appropriation of Excess Available Fund Balance; and Allocation of American Rescue Plan Act Funding.

Administrative Services Director Valentine and Finance Consultant, Don Rhoads, presented the staff report and recommended that the Council: 1) Receive and file the report of UAL options and provided direction, as appropriate, to pursue one or more desired options; 2) Appropriate \$1,751,000 of the Reserve Fund Balance towards the Pavement Management Program; 3) Adopt a Resolution accepting the receipt of all funds available to the City pursuant to the American Rescue Plan Act (ARPA) of 2021 and authorized the City Manager or her designee to execute all documents as necessary for the funding; 4) Appropriate \$2,493,950 of American Rescue Plan Act (ARPA) Funds to Water, Sewer, and Storm Water Infrastructure projects; and 4) Create an ad-hoc committee to evaluate options and provide future recommendations for allocating the remaining ARPA funds to programs and projects consistent with US Treasury guidance. Director Valentine and Mr. Rhoads answered questions from Council.

Mayor Pro Tem Paulding invited public comment. Speaking from the public was Jim Guthrie. No further public comments were received.

Action: Council Member Barneich moved to 1) Receive and file the report of UAL options and provided direction, as appropriate, to pursue one or more desired options; 2) Appropriate \$1,751,000 of the Reserve Fund Balance towards the Pavement Management Program; 3) Adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ACCEPTING THE RECEIPT OF ALL FUNDS AVAILABLE TO THE CITY PURSUANT TO THE AMERICAN RESCUE ACT (ARPA) OF 2021 IN THE AMOUNT OF \$4,300,241 FOR FISCAL YEAR 2020-21 THROUGH 2023-24 AND AUTHORIZE THE CITY MANAGER OR HER DESIGNEE TO EXECUTE ALL DOCUMENTS FOR FUNDING AWARD AND REPORTING"***; 4) Appropriate \$2,493,950 of American Rescue Plan Act (ARPA) Funds to Water, Sewer, and Storm Water Infrastructure projects; 5) Appoint Mayor Ray Russom and Mayor Pro Tem Paulding to an ad-hoc committee to evaluate options and provide future recommendations for allocating the remaining ARPA funds to programs and projects consistent with US Treasury guidance; and 6) Direct staff to bring back a discussion item regarding a Citizens Academy at a future City Council meeting. Council Member George seconded, and the motion passed on the following roll-call vote:

AYES: Barneich, George, Storton, Paulding, Ray Russom
NOES: None
ABSENT: None

12. 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.

(a) MAYOR RAY RUSSOM:

- (1) California Joint Powers Insurance Authority (CJPIA)
- (2) South San Luis Obispo County Sanitation District (SSLOCSD)
- (3) Tourism Business Improvement District Advisory Board

(b) MAYOR PRO TEM PAULDING:

- (1) Air Pollution Control District (APCD)
- (2) Brisco/Halcyon Interchange Subcommittee
- (3) Council of Governments/Regional Transit Authority/South County Transit (SLOCOG/SLORTA/SCT)

(c) COUNCIL MEMBER BARNEICH:

- (1) Homeless Services Oversight Council (HSOC)
- (2) South County Homeless Taskforce
- (3) Zone 3 Water Advisory Board

(d) COUNCIL MEMBER STORTON:

- (1) Brisco/Halcyon Interchange Subcommittee
- (2) Five Cities Fire Authority (FCFA)
- (3) Integrated Waste Management Authority Board (IWMA)
- (4) South County Chambers of Commerce Governmental Affairs Committee

(e) COUNCIL MEMBER GEORGE:

- (1) Community Action Partnership San Luis Obispo (CAPSLO)
- (2) County Water Resources Advisory Committee (WRAC)
- (3) Regional Water Initiatives
- (4) Visit SLO CAL Advisory Board

13. COUNCIL COMMUNICATIONS

Council Member Storton commented that the Five Cities Fire Authority Fire Chief will be coming to Council at a future meeting to discuss fireworks in the City.

Council Member Barneich commented on the number of COVID-19 cases in the County and encouraged everyone to get vaccinated.

Mayor Ray Russom reported that the mayors within San Luis Obispo County will be doing a public service announcement encouraging everyone to get vaccinated.

Mayor Ray Russom and Mayor Pro Tem Paulding thanked staff for the work that went into creating a hybrid in-person/virtual meeting format.

14. CLOSED SESSION

None.

15. ADJOURNMENT

There being no further business to come before the City Council, Mayor Pro Tem Paulding adjourned the meeting at 10:35 p.m.

/s/Caren Ray Russom, Mayor

ATTEST:

/s/Jessica Matson, City Clerk

(Approved at CC Mtg 08-24-2021)