

## **ACTION MINUTES**

### **REGULAR MEETING OF THE CITY COUNCIL/SUCCESSOR AGENCY TO THE DISSOLVED ARROYO GRANDE REDEVELOPMENT AGENCY TUESDAY, APRIL 14, 2020 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA**

In compliance with the State and County Shelter at Home Orders due to the coronavirus pandemic, and 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, this meeting was held by teleconference.

#### **1. CALL TO ORDER**

Mayor/Chair Ray Russom called the Regular City Council Meeting to order at 6:00 p.m. via teleconference.

#### **2. ROLL CALL**

City Council/SA Board: Council/Board Members Lan George, Jimmy Paulding, Kristen Barneich, Mayor Pro Tem/Vice Chair Keith Storton, and Mayor/Chair Caren Ray Russom were all present via teleconference.

Staff Present: City Manager James Bergman, Director of Legislative and Information Services/City Clerk Kelly Wetmore, and Information Technology Manager Walt Cuzick were present in the Council Chambers. City Attorney Timothy Carmel, Administrative Services Director Mike Stevens, Accounting Manager Nicole Valentine, Public Works Director Bill Robeson, Community Development Director Whitney McDonald, Recreation Services Director Sheridan Bohlken, and Chief of Police Beau Pryor were present via teleconference.

#### **3. MOMENT OF REFLECTION**

#### **4. FLAG SALUTE**

Mayor Pro Tem Storton led the flag salute.

#### **5. AGENDA REVIEW**

Mayor Ray Russom announced that Item 13, closed session, will be cancelled as the result of an agenda posting glitch on the City website and will be rescheduled for either the next regular meeting or a special meeting.

Mayor Ray Russom requested that in order to provide the public with updated information regarding COVID-19, she would like to move Item 12, Council Communications, up on the Agenda to provide a brief report, and invited other Council Members to provide any Council communications at this time or reserve comment until the end of the meeting.

#### **12. COUNCIL COMMUNICATIONS**

Mayor Ray Russom provided a brief update on measures the County has taken to manage a potential surge of COVID-19 cases, stated that the shelter at home order appears to be working, and that the County is beginning a SLO County roadmap to a phased reopening.

Council Member Barneich referred to future agendas and requested that any items that may require significant public comment be pushed out until COVID-19 restrictions are lifted. Council Member Paulding acknowledged the benefit in that suggestion; however, he stated the City should maintain consistency to the extent possible due to the unknown duration of COVID-19 restrictions. Mayor Pro Tem Storton agreed and stated that there are some time sensitive issues coming forward that staff may need direction on and that he was sure staff would use good judgment on which items are brought forward.

**5.a. Closed Session Announcements.**

None.

**5.b. Ordinances Read in Title Only.**

Mayor Ray Russom moved, Mayor Pro Tem Storton seconded, and the motion passed unanimously that all ordinances presented at the meeting shall be read by title only and all further readings be waived.

**6. SPECIAL PRESENTATIONS**

**6.a. Honorary Proclamation Declaring the Month of April 2020 as “Month of the Child” and “Child Abuse Prevention Month” and April 30, 2020 as “Child Care Awareness Day”.**

Mayor Ray Russom read the Honorary Proclamation recognizing the month of April 2020 as “Month of the Child” and “Child Abuse Prevention Month” and April 30, 2020 as “Child Care Awareness Day”. Lisa Fraser, representing Child Care Planning Council via teleconference, accepted the Proclamation.

**6.b. City Manager’s Report – Current COVID-19 Operations.**

City Manager Bergman gave a presentation which provided an update on current City operations during the COVID-19 pandemic (on file in the City Clerk’s office and on the City’s website).

**7. COMMUNITY COMMENTS AND SUGGESTIONS**

Mayor Ray Russom invited public comment. Speaking from the public via teleconference was Diller Ryan, who gave a shout out to City employees working under an increased load due to the coronavirus conditions, specifically those in the Utilities Division, and expressed concerns about staff’s ability and lack of technical equipment to provide a response to his recent request for water use data in an efficient manner. City Clerk Wetmore read into the record an email received from Wendy Wendt and Kris Roudebush, representing First 5 San Luis Obispo County, regarding the “We are the Care Initiative”. No further public comments were received.

**8. 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.

Mayor Pro Tem Storton referred to Item 8.b. (Approval of Minutes) and requested that the March 24, 2020 minutes and all future minutes reflect which Council Members participated via teleconference.

In response to questions by Council Member George regarding Item 8.d. (Adopt Projects to be Funded by the Road Repair and Accountability Act of 2017 (SB1) Funding for Fiscal Year 2020-21), Public Works Director Robeson provided clarification about the James Way Rehabilitation Project.

Mayor Ray Russom invited public comments on the Consent Agenda. No public comments were received.

**Action:** Mayor Ray Russom moved to approve Consent Agenda Items 8.a. through 8.e., with the modification to the minutes of March 24, 2020 in Item 8.b. as noted by Mayor Pro Tem Storton. Council Member George seconded, and the motion passed on the following roll-call vote:

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

**8.a. Consideration of Cash Disbursement Ratification.**

**Action:** Ratified the listing of cash disbursements for the period March 16, 2020 through March 31, 2020.

**8.b. Consideration of Approval of Minutes.**

**Action:** Approved the minutes of the Regular City Council Meeting of March 10, 2020 as submitted, and the Regular City Council Meeting of March 24, 2020, as modified.

**8.c. 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.d. Consideration of a Resolution to Adopt Projects to be Funded by the Road Repair and Accountability Act of 2017 (SB1) Funding for Fiscal Year 2020-21.**

**Action:** 1) Adopted a Resolution entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-21 FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017”;*** and 2) Authorized the Director of Administrative Services to submit the list of projects to the California Transportation Commission (CTC).

**8.e. Consideration of Adoption of Resolutions Ordering the Preparation and Filing of Annual Engineer’s Reports for the Parkside Village Assessment District, Grace Lane Assessment District, and Landscaping and Lighting District No. 1, within Tract 1769, for Fiscal Year 2020-21.**

**Action:** Adopted Resolutions entitled: ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ORDERING THE PREPARATION AND FILING OF THE ANNUAL ENGINEER’S REPORT FOR THE PARKSIDE VILLAGE ASSESSMENT DISTRICT FOR FISCAL YEAR 2020-2021”;*** ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ORDERING THE PREPARATION AND FILING OF THE ANNUAL ENGINEER’S REPORT FOR THE GRACE LANE ASSESSMENT DISTRICT FOR FISCAL YEAR 2020-2021”;*** and ***“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ORDERING THE PREPARATION AND FILING OF THE ANNUAL ENGINEERS REPORT FOR THE ARROYO GRANDE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1, WITHIN TRACT 1769, FOR FISCAL YEAR 2020-2021”.***

**9. PUBLIC HEARINGS**

None.

**10. OLD BUSINESS:**

None.

**11. NEW BUSINESS**

**11.a. Consideration of Revenue Impacts Due to Coronavirus (COVID-19).**

Administrative Services Director Stevens presented the staff report and recommended that the Council receive, discuss, and file the report. Staff responded to questions from Council.

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

Brief Council comments ensued. Council Member George suggested that the City Manager provide an update on projected forecasts at upcoming meetings as a City Manager item. Council Member Paulding suggested the Council consider writing a letter to the Governor regarding the sales tax deferral program or reaching out to the League of California Cities to work with them on efforts to communicate the City's concerns.

No formal action was taken. The report was received and filed.

**11.b. Consideration of a Resolution Waiving Late Payment Penalties for Water and Sewer Service and Suspending the Discontinuance of Water Service for Nonpayment for Businesses not Protected by Executive Order N-42-20.**

Administrative Services Director Stevens presented the staff report and recommended that the Council adopt a Resolution authorizing the City's Administrative Services Director to waive any otherwise applicable late payment penalties on delinquent water and sewer bills for the March and April billing dates and suspend water service disconnections for businesses not otherwise protected by Executive Order N-42-20.

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

**Action:** Council Member Barneich moved to adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE WAIVING LATE PAYMENT PENALTIES FOR WATER AND SEWER SERVICE AND SUSPENDING THE DISCONTINUATION OF WATER SERVICE FOR NONPAYMENT FOR BUSINESSES NOT PROTECTED BY EXECUTIVE ORDER N-42-20"***. Mayor Pro Tem Storton seconded, and the motion passed on following roll call vote:

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

**11.c. Consideration of a Resolution Authorizing Waiver of Late Payment Penalties and Interest for Transient Occupancy Tax (TOT).**

Administrative Services Director Stevens presented the staff report and recommended that the Council adopt a Resolution authorizing the City's Administrative Services Director to waive any otherwise applicable late payment penalties and interest on delinquent TOT remittances for the months of March and April 2020 and extend the payment deadline until August 31, 2020. Staff responded to questions from Council.

Jocelyn Brennan, representing South County Chambers of Commerce, spoke on behalf of local hoteliers in support of the waiver of late payment penalties and extension of the payment deadline.

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

Council comments ensued in support of the proposal and discussions on whether to extend the waiver of late payment penalties through May or June 2020.

**Action:** Mayor Ray Russom moved to adopt a Resolution, as modified, authorizing waiver of late payment penalties and interest for Transient Occupancy Tax to include March, April, May and June 2020 and have a payment deadline for March and April of August 31, 2020, and a payment deadline for May and June of October 31, 2020. Council Member Barneich seconded. Brief comments ensued regarding the potential financial impact to the City. The motion failed on the following roll call vote:

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

**Action:** Mayor Pro Tem Storton moved to adopt a Resolution, as modified, entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AUTHORIZING THE ADMINISTRATIVE SERVICES DIRECTOR TO WAIVE LATE PAYMENT PENALTIES AND INTEREST FOR DELINQUENT TRANSIENT OCCUPANCY TAX RECEIVED FOR STAYS DURING MARCH, APRIL AND MAY 2020 AND EXTENDING THE PAYMENT DEADLINE UNTIL AUGUST 31, 2020"***. Council Member Paulding seconded, and the motion passed on following roll call vote:

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

**11.d. Submittal of a Draft Strategic Plan.**

City Manager Bergman presented the staff report and recommended that the Council: 1) Receive the Draft 2020 Strategic Plan from the established Council Ad-Hoc Committee; and 2) Discuss and provide direction related to the recommendation for a process to review, adopt, and report on the Strategic Plan. Staff responded to extensive questions from Council regarding the Draft Strategic Plan.

Mayor Ray Russom invited public comment.

Mayor Ray Russom referred to a letter received by former Council Member Jim Guthrie which expressed concerns about the Draft Strategic Plan and read it into the record; and Jocelyn Brennan, representing South County Chambers of Commerce, commented on the Draft Strategic Plan as it relates to economic development, acknowledged that this is a difficult time for businesses during the current circumstances, and stated that a balanced economy is the most resilient economy. She noted a lack of tech jobs in Arroyo Grande, which could be a focus moving forward, and further commented on the stimulus packages that some businesses in the community are starting to receive. No further public comments were received.

Extensive Council comments ensued regarding the Draft Strategic Plan and acknowledgement of the good work that went into it by the Council Ad-Hoc Committee. Concerns were expressed about the timing of the Strategic Plan and moving forward with it when there is not a full understanding of the financial impacts to the City related to the COVID-19 pandemic, as well as the limited methods and opportunities to obtain sufficient public comment on the Plan; that the Council should be dealing with immediate impacts related to COVID-19 and focusing on a recovery plan; and that consideration of the Strategic Plan should be delayed until more information is known about the City's financial situation.

**Action:** Mayor Ray Russom moved to direct staff to bring the Strategic Plan back to Council for further consideration and public outreach at the Mid-Year Budget Review in 2021. Mayor Pro Tem Storton seconded, and the motion passed on following roll call vote:

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

## **12. COUNCIL COMMUNICATIONS**

Council Member George recognized Ellen Gaver, an Arroyo Grande resident that moderates a couple of Facebook groups that Arroyo Grande residents are a part of, and appreciated her efforts to keep the community connected and informed. She spoke of the volunteerism in the community, including people who are delivering food, donating food, sewing masks, and offering support and friendship to others. She stated she is grateful for living in and serving Arroyo Grande and being surrounded by such amazing people.

Council Member Barneich echoed Council Member George's comments.

Mayor Pro Tem Storton said thank you, especially to staff that works with the City and this Council for continuing to do good work.

Council Member Paulding echoed all that has been said.

Mayor Ray Russom acknowledged all the parents that are at home with their kids, and also gave a shout out to Krista from Hello Village, a member of the business community, for taking the time to reach out to her and making her day.

**13. CLOSED SESSION**

Mayor Ray Russom restated that as a result of an agenda posting glitch, tonight's closed session is being cancelled and will be rescheduled for the next regular meeting of April 28th or a special meeting between now and then.

- a) Conference with Real Property Negotiators pursuant to Government Code Section 54956.8:
  - Property: 400 Old Ranch Road (corner of W. Branch Street); APN 007-011-056
  - Agency Negotiators: James Bergman, City Manager
  - Negotiating Parties: Kamla Hotels Inc.
  - Under Negotiation: Price and terms of payment

**Successor Agency**

- b) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8:
  - Property: APN: 006-151-027; Located at Faeh Avenue and El Camino Real
  - Agency Negotiators: James Bergman, City Manager
  - Negotiating Parties: ELA Foods, Inc.
  - Under Negotiation: Price and terms of payment

**14. ADJOURNMENT**

There being no further business to come before the City Council, Mayor/Chair Ray Russom adjourned the meeting at 10:55 p.m.

**/s/Caren Ray Russom, Mayor/Chair**

**ATTEST:**

**/s/Kelly Wetmore, City Clerk/Secretary**

**(Approved at CC Mtg 04/28/2020)**