

ACTION MINUTES

REGULAR MEETING OF THE CITY COUNCIL TUESDAY, SEPTEMBER 24, 2019 COUNCIL CHAMBERS, 215 E. BRANCH STREET ARROYO GRANDE, CALIFORNIA

1. CALL TO ORDER

Mayor Ray Russom called the City Council Meeting to order at 6:00 p.m.

2. ROLL CALL

City Council: Council Members Lan George, Keith Storton, Jimmy Paulding, Mayor Pro Tem Kristen Barneich, and Mayor Caren Ray Russom were present.

Staff Present: City Manager Jim Bergman, City Attorney Heather Whitham, Director of Legislative and Information Services/City Clerk Kelly Wetmore, Director of Public Works Bill Robeson, Director of Recreation Services Sheridan Bohlken, Director of Community Development Teresa McClish, Police Chief Beau Pryor, and Planning Manager Matt Downing.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Gary Hoving, representing South County Historical Society, led the Flag Salute.

5. AGENDA REVIEW

5.a. Closed Session Announcements.

None.

5.b. Ordinances Read in Title Only.

Mayor Pro Tem Barneich moved, Council Member 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. Presentation by San Luis Obispo Council of Governments (SLOCOG) - Pledge to Solve the Commute Puzzle During Rideshare Week, October 7 - 11, 2019.

Peter Williamson, Rideshare Program Coordinator, gave a presentation regarding planned events and activities during Rideshare Week to encourage alternative transportation to work and school.

7. COMMUNITY COMMENTS AND SUGGESTIONS

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

8. CONSENT AGENDA

Mayor Ray Russom invited public comment on the consent agenda items. No public comments were received.

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

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

8.a. Consideration of Cash Disbursement Ratification.

Action: Ratified the listing of cash disbursements for the period September 1, 2019 through September 15, 2019.

8.b. Consideration of Statement of Investment Deposits.

Action: Received and filed the report listing of investment deposits of the City of Arroyo Grande, as of August 31, 2019, as required by Government Code Section 53646(b).

8.c. Consideration of Approval of Minutes.

Action: Approved the minutes of the Regular City Council Meeting of September 10, 2019, as submitted.

8.d. Consideration of Temporary Use Permit Case No. 19-009; Authorizing the Village Christmas Parade on Sunday, December 1, 2019 and Directing Staff to Implement Related Safety Measures Including No Parking Zones, Street Closures and Warning Devices.

Action: 1) Adopted a Resolution entitled: "**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT NO. 19-009 AND AUTHORIZING THE CLOSURE OF CITY STREETS FOR THE ANNUAL ARROYO GRANDE VILLAGE CHRISTMAS PARADE, DECEMBER 1, 2019**"; and 2) Appropriated \$5,000 from the General Fund Reserve to facilitate implementation of safety measures for the event.

8.e. Monthly Water Supply and Demand Update.

Action: Received and filed the monthly Water Supply and Demand Report.

9. PUBLIC HEARINGS

None.

10. OLD BUSINESS

None.

11. NEW BUSINESS

11.a. Consideration of San Luis Obispo County Tourism Marketing District (SLOCTMD) Renewal.

City Manager Bergman provided a brief overview of the item and stated that the Arroyo Grande Tourism Business Improvement District Advisory Board recommended that the Council adopt a Resolution granting consent to the San Luis Obispo County Board of Supervisors to renew the San Luis Obispo County Tourism Marketing District, to include lodging establishments within the City of Arroyo Grande, for a 10-year period with a 1.5% assessment. He then introduced Chuck Davison and Derek Kirk from Visit SLO CAL.

Chuck Davison, representing Visit SLO CAL, provided a presentation on the formation history of the SLO County Tourism Marketing District; spoke about tourism's role in economic development, destination marketing and management, and challenges and opportunities as it relates to room occupancy and available lodging inventory; provided a regional comparison of lodging tax and assessments; reviewed the District's key strategies moving forward; reviewed the results of a return on investment (ROI) analysis with an increased funding scenario; reviewed next steps in the District renewal process which requires a series of hearings in each community and the County; noted that signed petitions supporting renewal of the District have been received from lodging establishments in Arroyo Grande generating over 83% of the TOT revenue in the City; and stated that the City's Tourism Business Improvement District Advisory Board recommended the City Council approve renewal of the District for a 10 year period with a 1.5% assessment. Mr. Davison responded to extensive questions from Council.

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

Action: Council Member Storton moved to adopt a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE GRANTING CONSENT TO THE COUNTY OF SAN LUIS OBISPO TO RENEW THE SAN LUIS OBISPO COUNTY TOURISM MARKETING DISTRICT (SLOCTMD)"***. Mayor Pro Tem Barneich seconded, and the motion passed on following roll call vote:

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

11.b. Consideration of a Resolution Authorizing Implementation of Safety Measures Including No Parking Zones, Street Closures and Warning Devices for Anticipated Crowds Related to "Halloween in the Village" on Thursday, October 31, 2019.

Community Development Director McClish provided introductory comments. Planning Manager Downing presented the staff report and recommended the Council adopt a Resolution authorizing implementation of safety measures including no parking zones, street closures, and warning devices for "Halloween in the Village" and appropriating \$5,000 from the General Fund Reserves for the event.

Jocelyn Brennan, representing the South County Chambers of Commerce, and Gaia Powell, representing the Village Improvement Association (VIA), responded to questions from Council.

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

Following Council comments and concerns regarding whether or not the City is prepared to take over the event due to staffing constraints, fiscal considerations and time, and whether the City has a full understanding of what the business community wants, City Manager Bergman summarized Council's direction to staff to focus on informing the community of the Halloween Carnival and Haunted Maze to be held on Saturday, October 26th at Elm Street Park and to be prepared to provide basic safety coordination in the Village on October 31st.

Action: Mayor Pro Tem Barneich moved to not implement the street closures and those previously used safety measures and to redirect the public to the City sponsored Halloween Carnival and Haunted Maze event on October 26th; and further, to direct staff to work with the Chamber of Commerce to see what this event might look like next year. Council Member Storton seconded, and the motion passed on the following roll call vote:

AYES: Barneich, Storton, Ray Russom
NOES: George, Paulding
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 BARNEICH:**
 - (1) Homeless Services Oversight Council (HSOC)
 - (2) South County Homeless Taskforce
 - (3) Zone 3 Water Advisory Board

- (c) **COUNCIL MEMBER PAULDING:**
 - (1) Air Pollution Control District (APCD)
 - (2) Brisco/Halcyon Interchange Subcommittee
 - (3) Council of Governments/Regional Transit Authority (SLOCOG/SLORTA)
 - (4) South County Transit (SCT)

- (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

Mayor Ray Russom acknowledged Planning Manager Matt Downing and how much professional respect she has for him, wished him well in his new endeavor, acknowledged the hole that will be left in the organization, and thanked him for everything he has done for the City.

Mayor Pro Tem Barneich acknowledged Matt stating that he is an amazing employee with an incredible work ethic, that the City was fortunate to have him for the last nine years, and wished him well.

Council Member George expressed appreciation to Matt for all the assistance he has provided to her going back to her time on the Planning Commission, commented on his kind, generous guidance, stated he will be missed, that the City of Pismo Beach is lucky to have him, and wished him the best.

Council Member Storton stated that he first had contact with Matt while serving on the City's Architectural Review Committee, stated he is a great representative of somebody who has it all together, appreciated working with him and thanked him for all his work.

Council Member Paulding said it is rare when everything you hear about a person is always good, which is the case with Matt, congratulated him on his new opportunity, stated he will be missed, and thanked him for all he has done for the City.

Mayor Ray Russom stated that she would like the City to pursue an ordinance prohibiting the sale of vaping products, shared research on youth vaping statistics, referred to an ordinance just passed in San Francisco, stated this topic will be discussed at the next Mayors Meeting that Arroyo Grande is hosting, and requested support for staff to bring more information back to a future Council meeting for discussion and consideration. Council Member George concurred. City Attorney Whitham acknowledged the ordinance passed by San Francisco, stated there are some complexities with implementation, but that research and analysis will be done and options brought back to the Council for consideration.

Council Member George requested a status update on the East Grand Avenue Enhancement Project. Staff responded that the City is waiting on a response from the Fair Political Practices Commission (FPPC) regarding the consultant agreement and a potential Government Code 1090 conflict. Council Member George then requested support to direct staff to move forward with the Strategic Plan with a report back to Council in November. Mayor Ray Russom concurred.

Mayor Pro Tem Barneich commented that the Empty Bowls fundraiser benefitting 5Cities Homeless Coalition was an even bigger success this year than last year and thanked the community for their support.

14. CLOSED SESSION:

At 9:03 p.m., City Attorney Whitham announced the City Council would adjourn to closed session to consider the following:

- a) **CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION** pursuant to Government Code Section 54956.9(d)(1): 5 Cases
- Name of Case: Santa Maria Valley Water Conservation District v. City of Santa Maria, et al. and related actions, Santa Clara Superior Court, Case No. CV 770214.
 - Name of Case: JC and Elsie Teixeira Family LP et al., Santa Barbara Superior Court, Case Number 19CV02086
 - Name of Case: Kieran L Adam, et al. Santa Barbara Superior Court, Case Number 19CV02091

- Name of Case: JC and Elsie Teixeira Family Limited Partnership, San Luis Obispo Superior Court, Case Number 19CV-0230
- Name of Case: Koch California LTD et al., San Luis Obispo Superior Court, Case Number 19CV-0227

Adjourned to Closed Session

15. RECONVENE TO OPEN SESSION

At 10:14 p.m., the meeting was reconvened to open session. City Attorney Whitham announced there was no reportable action.

16. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 10:15 p.m.

Caren Ray Russom, Mayor

ATTEST:

Kelly Wetmore, City Clerk

(Approved at CC Mtg _____)