



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

August 13, 2024, 5:00 p.m.
Hybrid City Council Chamber/Virtual Zoom Meeting
215 East Branch Street, Arroyo Grande

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

Staff Present: City Clerk Jessica Matson, City Attorney Isaac Rosen, City Manager Matthew Downing, Assistant City Manager/Public Works Director Bill Robeson, Administrative Services Director Nicole Valentine, Community Development Director Brian Pedrotti, Planning Manager Andrew Perez, City Engineer Shannon Sweeney, Human Resources Officer Ashley Garcia

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 Guthrie called the meeting to order at 5:00 p.m.

2. ROLL CALL

City Clerk Matson took roll call. Mayor Ray Russom and Council Member George were absent and did not participate in Closed Session.

3. FLAG SALUTE

Mayor Pro Tem Guthrie led the flag salute.

4. PUBLIC COMMENT ON CLOSED SESSION ITEMS

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

5. CLOSED SESSION

City Attorney Rosen announced that City Council will recess to a closed session for the following and will report any reportable action at the City Council Regular meeting at 6:00 p.m.:

a) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

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

Letter dated June 19, 2024 from Paul Beard II of the law firm Pierson Ferdinand

City Council adjourned to Closed Session at 5:01 p.m.

6. ADJOURNMENT

The City Council adjourned Closed Session at 5:45 p.m.

REGULAR MEETING 6:00 P.M.

1. CALL TO ORDER

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

2. ROLL CALL

City Clerk Matson took roll call.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Mayor Ray Russom led the flag salute.

5. AGENDA REVIEW

5.a Closed Session Announcements

Mayor Ray Russom and Council Member George disclosed that they recused themselves and did not participate in the Closed Session.

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CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION:

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

Letter dated June 19, 2024 from Paul Beard II of the law firm Pierson Ferdinand

City Attorney Rosen announced that there was no reportable action.

5.b Ordinances read in title only

Moved by Mayor Ray Russom

Seconded by Council Member Barneich

Move that all ordinances presented at the meeting shall be read by title only and all further readings be waived.

Passed (5 to 0)

6. SPECIAL PRESENTATIONS

6.a Introduction of New Employee - Human Resources Officer Ashley Garcia

City Manager Downing introduced Ashley Garcia, Human Resources Officer, and highlighted her educational and professional background.

6.b City Manager Communications

City Manager Downing provided information regarding the application for new Verizon cellular site; announced that the Swinging Bridge is open and was completed one month ahead of schedule with a formal Ribbon Cutting Ceremony coming in mid-September; Fall Activity Guide is completed.

7. CITY COUNCIL REPORTS

None.

Reports are made during the Second Council Meeting each month.

8. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Ray Russom invited public comment. Speaking from the public were Gaea Powell, Aileen Loe, Darcy Cole. No further comments were received.

Mayor Ray Russom responded to public comment.

9. 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.

Council pulled Item 9.f. for discussion and made comments regarding the proposed change to Section 4.5, Agenda Order, as it relates to Community Comments and Suggestions and the origin of the suggested change. Council discussion ensued. Council pulled the item for further discussion and separate vote.

Mayor Ray Russom invited public comment. Speaking from the public were Aileen Loe, Shannon Kesler, Gaea Powell, Laurie Angel. No further public comments were received.

Moved by Mayor Pro Tem Guthrie
Seconded by Council Member George

Approve Consent Agenda Items 9.a. through 9.i., with the exception of Item 9.f., with the recommended courses of action.

AYES (5): Mayor Pro Tem Guthrie, Council Member George, Council Member Barneich, Council Member Secrest, and Mayor Ray Russom

Passed (5 to 0)

9.a Cash Disbursement Ratification

Reviewed and ratified the listing of cash disbursements for the period of July 1 through July 15, 2024.

9.b Statement of Investment Deposits for June 2024

Received and filed the attached report listing investment deposits of the City of Arroyo Grande as of June 30, 2024, as required by Government Code Section 53646(b).

9.c Approval of Minutes

Approved the minutes of the Regular City Council Meeting of July 23, 2024, as submitted.

9.d Appointment of a Voting Delegate for the League of California Cities Annual Conference

Appointed Mayor Pro Tem Guthrie as the voting delegate for the League of California Cities Annual Conference and authorized submittal by the City of the League of California Cities' Voting Delegate/Alternate Form.

9.e Policy Designating the City Seal, City Logo, and Police Badge as Official Symbols of the City

1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DESIGNATING THE CITY SEAL, CITY LOGO, AND POLICE BADGE AS OFFICIAL SYMBOLS OF THE CITY OF ARROYO GRANDE"***; and

2) Found that adopting the Resolution 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.g Resolution Approving a Grant Agreement with the California Highway Patrol and Approve a Budget Adjustment

1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING AND AUTHORIZING THE CHIEF OF POLICE TO EXECUTE AN AGREEMENT WITH THE CALIFORNIA HIGHWAY PATROL TO ACCEPT GRANT FUNDING FOR TRAFFIC SAFETY PROGRAMS AND TO APPROPRIATE THE FUNDING FOR THE PROGRAM ACTIVITIES"***;

2) Approved a Budget Amendment Request for FY 2024-25 in the amount of \$155,600 to account for the additional revenue and expenditures related to the grant, including the purchase of a DUI Trailer totaling approximately \$60,000 and a DUI Patrol Truck and outfitting totaling \$80,000; and

3) Found that adopting the Resolution authorizing the Chief of Police to execute the grant document and appropriate the funding for activities is not a project subject to the California Environmental Quality Act ("CEQA") because that declaration in itself has no potential to result

in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3), 15378.)

9.h Community Development Block Grant (CDBG) Funding Reallocation

1) Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REALLOCATION"**; and

2) Found that this item 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. (c)(2)-(3), 15378.)

9.i Accept the 2022 Slurry Seal Project, PW 2022-06

1) Accepted improvements as constructed by American Asphalt South, Inc. in accordance with the plans and specifications for the 2022 Slurry Seal Project, PW 2022-06;

2) Directed staff to file a Notice of Completion; and

3) Authorized release of retention thirty-five (35) days after the Notice of Completion has been recorded if no liens have been filed.

9.j Accept the Swinging Bridge Retrofit Project, PW 2021-06

1) Accepted improvements as constructed by Cushman Contracting Corporation, in accordance with the plans and specifications for the Swinging Bridge Retrofit Project, PW 2021-06;

2) Directed staff to file a Notice of Completion; and

3) Authorized release of retention thirty-five (35) days after the Notice of Completion has been recorded if no liens have been filed.

9.f Updates to the City Council Handbook

Council discussion ensued regarding keeping Community Comments and Suggestions before the Consent Agenda and reducing the public comment time limit for items not on the Agenda to 1 minute per speaker. City Manager Downing and City Attorney Rosen responded to questions from Council.

Moved by Mayor Pro Tem Guthrie

Seconded by Council Member Barneich

1) Adopted a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING THE CITY COUNCIL HANDBOOK UPDATE"** with the modification to keep Community Comments and Suggestions at its current position on the Agenda before Consent, but reducing the time to speak for items not on the agenda to one minute; and

2) Found that adopting the Resolution 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. (c)(2)-(3), 15378.)

AYES (5): Mayor Pro Tem Guthrie, Council Member Barneich, Council Member George, Council Member Secret, and Mayor Ray Russom

Passed (5 to 0)

10. PUBLIC HEARINGS

10.a **Development Code Amendments to Implement Housing Element Programs and Finding that this Action is Not a Project Under the California Environmental Quality Act Pursuant to State Guidelines Section 15061**

Planning Manager Perez presented the item and responded to questions from Council.

Mayor Ray Russom opened the public hearing. Upon hearing no public comments, Mayor Ray Russom closed the public hearing.

Moved by Council Member George
Seconded by Council Member Barneich

Introduced an Ordinance entitled: ***"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ADDING SECTION 16.52.270 RELATING TO IMPLEMENTATION OF AB 1397 AND AMENDING CHAPTER 16.82 OF THE ARROYO GRANDE MUNICIPAL CODE RELATING TO STATE DENSITY BONUS LAW AND FINDING THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT"***.

AYES (5): Council Member George, Council Member Barneich, Council Member Secret, Mayor Pro Tem Guthrie, and Mayor Ray Russom

Passed (5 to 0)

11. OLD BUSINESS

11.a **Adoption of a Vision Statement and Guiding Principles for the Comprehensive General Plan Update and Finding this Action is Not a Project Under the California Environmental Quality Act**

Planning Manager Perez introduced the item and Michael Gibbons, Mintier Harnish consultant. Mr. Gibbons provided gave a presentation on the General Plan Update process and phases. Mr. Gibbons responded to questions from Council.

Mayor Ray Russom invited public comment for the visioning statement. Speaking from the public was Barbara Harmon, Kay Lotten, Shannon Kesler, Gaea Powell. No further public comments were received. Mayor Ray Russom, Mr. Gibbons, and City Manager Downing responded to questions from the public.

Council Member George read her proposed version of the vision statement. Council discussion ensued regarding edits to Council Member George's proposed statement including notation of other areas of the city with historic roots and inclusion of agriculture.

Mr. Gibbons presented regarding guiding principles. Community Development Director Pedrotti responded to questions from Council.

Mayor Ray Russom invited public comment. Speaking from the public was Gaea Powell, Shannon Kesler, Kay Lotten, Charlie Lotten, Barbara Harmon, Mike Harris, and Glenn Martin. No further public comments were received. Mr. Gibbons and Community Development Director Pedrotti responded to questions from the public and Council.

Council discussion ensued regarding each guideline. Council supported Principles 1, 2, and 6 as written.

Further Council discussion ensued regarding Principle 3 including terms "inclusivity" and "diversity" and removing this Principle from the General Plan document.

Council discussion ensued regarding Principle 4 including prioritizing maintaining infrastructure; taking out the term "growth" from community growth; and adding "community quality of life for all residents." Council concurred to rewrite Principle 4 as follows: *"Implement strategies to balance economic growth opportunities with the preservation of natural resources. Prioritize infrastructure investments and maintenance of roads, public transportation and community facilities to support our community's quality of life. Support diverse housing options, catering to different income levels and living situations."*

Mayor Ray Russom called for a brief break at 7:54 p.m. The Council reconvened at 8:00 p.m.

Council discussion ensued regarding Principle 5 including creation of head-of-household jobs; diverse housing and job opportunities; and ensuring that all residents have access to housing and business opportunities. Council concurred to rewrite Principle 5 as follows: *"Foster a welcoming community by ensuring that all residents have access to business growth opportunities, jobs, and housing, including multifamily and missing middle housing types. Promote an environment in which citizens and visitors thrive."*

Further Council discussion ensued regarding the removal of Principle 3.

Moved by Mayor Pro Tem Guthrie

Seconded by Mayor Ray Russom

Remove Guiding Principle #3 - Inclusivity and Diversity from the General Plan Update document.

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

NOES (1): Council Member Barneich

Passed (4 to 1)

12. **NEW BUSINESS**

None.

13. COUNCIL COMMUNICATIONS

Mayor Ray Russom commented on the request during public comment to direct staff to send a letter in support of the County's Bob Jones Trail Project. Mayor Pro Tem Guthrie supported the request. City Manager Downing responded to questions from Council. Mayor Ray Russom and Council concurred to give direction to have Mayor Pro Tem Guthrie write a letter of support on behalf of Council.

Mayor Ray Russom requested that the Council consider directing staff to agendize a discussion regarding a Community Workforce Agreement for the Traffic Way Bridge Project. Mayor Pro Tem Guthrie and Council Member Barneich concurred. Mayor Ray Russom also requested staff to agendize a discussion item regarding a Council policy on establishing Community Workforce Agreements for future projects. Mayor Pro Tem Guthrie and Council Member Barneich concurred.

Council Member Secrest announced that a Repair Cafe on August 17th will be held in Grover Beach.

Council Member Barneich commended AGPD and CHP for their DUI arrests and professionalism.

14. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 9:09 p.m.

Caren Ray Russom, Mayor

Jessica Matson, City Clerk