



ACTION MINUTES
SPECIAL MEETING OF THE CITY COUNCIL

September 9, 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
Secret

Staff Present: Deputy City Clerk Julie Hawkins, City Attorney
Isaac Rosen, City Manager Matthew
Downing, Assistant City Manager/Public
Works Director Bill Robeson, City Engineer
Shannon Sweeney, City Clerk Jessica Matson

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

CLOSED SESSION MEETING 5:00 P.M.:

1. CALL TO ORDER

Mayor Ray Russom called the meeting to order at 5:00 p.m.

2. ROLL CALL

Deputy City Clerk Hawkins took roll call. Council Member George was absent at the time of roll call.

3. FLAG SALUTE

Mayor Ray Russom led flag salute.

Council Member George arrived at 5:02 p.m.

4. PUBLIC COMMENT ON CLOSED SESSION ITEMS

Mayor Ray Russom invited public comments for Items on the Closed Session Agenda. No public 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 – Existing Litigation (2 cases) Per Paragraph (1) of Subdivision (d) of Government Code Section 54956.9:

Name of Cases: Aqueous Film-Forming Foams Product Liability Litigation, Master Docket No. 2:18-mn-2873-RMG; City of Camden, et al. v. BASF Corporation, Civil Action No.: 2:24-cv-03174-RMG; City of Camden et. al. v. Tyco Fire Products LP, Civil Action No.: 2-24-cv-02321-RMG

b) Conference with Real Property Negotiators Per Government Code Section 54956.8:

Property: 214 East Branch Street

Agency Negotiators: Matthew Downing, City Manager; Bill Robeson, Assistant City Manager/Public Works Director

City Council adjourned to Closed Session at 5:13 p.m.

6. ADJOURNMENT

City Council adjourned Closed Session at 5:54 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

Deputy City Clerk Hawkins took roll call. Council Member George was absent.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Mayor Ray Russom led the flag salute.

5. AGENDA REVIEW

5.a Closed Session Announcements

September 9, 2024

a) Conference with Legal Counsel – Existing Litigation (2 cases) Per Paragraph (1) of Subdivision (d) of Government Code Section 54956.9:

Name of Cases: Aqueous Film-Forming Foams Product Liability Litigation, Master Docket No. 2:18-mn-2873-RMG; City of Camden, et al. v. BASF Corporation, Civil Action No.: 2:24-cv-03174-RMG; City of Camden et. al. v. Tyco Fire Products LP, Civil Action No.: 2-24-cv-02321-RMG

City Attorney Rosen announced that the City Council opted out of the proposed settlement class for both cases and that the City preserves the right to take future action.

b) Conference with Real Property Negotiators Per Government Code Section 54956.8:

Property: 214 East Branch Street

Agency Negotiators: Matthew Downing, City Manager; Bill Robeson, Assistant City Manager/Public Works Director

Negotiating Parties: Ed Evans, Broker/Owner Remax; Elissa Williams, Broker/Owner Remax

Under Negotiation: Price and terms of payment

City Attorney Rosen announced that there was no reportable action.

5.b Ordinances read in title only

None.

6. SPECIAL PRESENTATIONS

6.a Honorary Proclamation Declaring September 15 - October 15, 2024 as "National Hispanic Heritage Month"

Mayor Ray Russom read the Honorary Proclamation Declaring September 15 - October 15, 2024 as "National Hispanic Heritage Month." Andy Pease, Secretary for Latino Outreach Council, accepted the Proclamation.

No action was taken on this item.

6.b City Manager Communications

City Manager Downing made comments regarding SLO Cal Monopoly; Ribbon Cutting for Swinging Bridge at 3:30 pm Friday, September 13th; hosting three Virtual Town Hall Meetings regarding Measure E-24 with the first on September 19th at 12 pm; Five Cities Fire Authority 9/11 memorial is open to public for remembrance; and the remaining summer concerts.

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

No action was taken on this item.

Receive correspondence/comments as presented by the City Manager and Provide direction, as necessary.

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 Aileen Loe, Katie Kidman, Steve Loomis, Shannon Kessler, Victor, Nathaniel, Scott, Michael Punsalon, Marlea Harmon, Gaea Powell. Mayor Ray Russom gave three warnings to commenter Powell at the conclusion of the one minute comment period. Following non-compliance, Mayor Ray Russom called a recess in accordance with Government Code Section 54957.95 regarding disruptions.

Council recessed at 6:19 p.m. and returned at 6:26 p.m.

Public comment resumed. No further public comments were received.

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 Member Barneich pulled Item 9.e. for separate consideration.

Chief Martinez made comments regarding Item 9.d. "Resolution Approving a Grant Agreement with the California Office of Traffic Safety and Approve a Budget Adjustment;" described the grant funding received; and commended Sergeant Burns and Officer Estrada for their work.

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

Moved by Council Member Barneich
Seconded by Council Member Secret

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

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

ABSENT (1): Council Member George

Passed (4 to 0)

9.a Cash Disbursement Ratification

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

9.b Statement of Investment Deposits for July 2024

Received and filed the report listing investment deposits of the City of Arroyo Grande as of July 31, 2024, as required by Government Code Section 53646(b).

9.c Approval of Minutes

Approved the minutes of the Regular City Council Meeting of August 27, 2024, as submitted.

9.d Resolution Approving a Grant Agreement with the California Office of Traffic Safety 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 OFFICE OF TRAFFIC SAFETY TO ACCEPT GRANT FUNDING FOR TRAFFIC SAFETY PROGRAMS, APPROPRIATING FUNDING FOR THE PROGRAM ACTIVITIES AND FINDING THE ACTION EXEMPT UNDER CEQA***";

2) Approved a Budget Amendment Request for FY 2024-25 in the amount of \$75,000 to account for the additional revenue and expenditures related to the grant; and

3) Found that adopting the Resolution 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.f Amendments to On-Call Consultant Services Agreements for Support to the Community Development and Public Works Departments

1) Authorized the City Manager to amend on-call consultant service agreements between the City and sixteen (16) consultants currently on the City's on-call list for consultant services in 16 disciplines for the Community Development and Public Works Departments, subject to minor modifications determined to be necessary and appropriate by the City Attorney: and

2) Made findings that executing agreement amendments with consultants 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.g Accept Public Improvements for Tract 2985

1) Adopted a Resolution entitled: **"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 2985, LOCATED AT 251 CORBETT CANYON ROAD"**; and

2) Determined that acceptance of the public improvements, which were a required Condition of Approval for the underlying entitlements, 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 Approve Agreement for Marketing Services for Arroyo Grande Tourism Business Improvement District

Council Member Barneich disclosed a potential conflict of interest due to her prior work with Verdin Marketing and left the meeting.

The Representative from Commune Communications responded to questions from Council.

Mayor Ray Russom opened public comment. Speaking from the public were Mary Verdin, Shannon Kessler, Gaea Powell, Jeannie Miranda, and Sean Dasmann.

Council Members made comments commending Verdin Marketing for their service and expressed gratitude.

Moved by Mayor Pro Tem Guthrie

Seconded by Council Member Secrest

1) Approved a Professional Services Agreement with Commune Communications for marketing services for the Arroyo Grande Tourism Business Improvement District (AGTBID); and

2) Determined that approving an Agreement for marketing services for the AGTBID 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.)

AYES (3): Mayor Pro Tem Guthrie, Council Member Secret, and Mayor Ray Russom

ABSTAINED (1): Council Member Barneich

ABSENT (1): Council Member George

Passed (3 to 0)

10. PUBLIC HEARINGS

None.

11. BUSINESS ITEMS

11.a Traffic Way Bridge Replacement Project, Traffic Detour Plan, and Parking Impacts

Assistant City Manager/Public Works Director introduced the item and City Engineer Sweeney presented the report and responded to questions from Council.

Mayor Ray Russom opened the public comment period. Speaking from the public were Alexandria Davis, Aileen Loe, Judy Cecchetti, Steve Loomis, and Seth McMillan. No further public comments were received. Staff responded to public comments.

Council gave direction on the traffic detour plan and parking impacts associated with the Traffic Way Bridge Replacement Project. They supported the inclusion of a roundabout at the high school but did not support the proposal to reopen Crown Hill. Additionally, they expressed a preference for the hybrid option for parking removal and traffic flow on Branch Street between Bridge Street and Traffic Way. If the hybrid option is not feasible, the Council favored option 2, followed by option 1.

No action was taken on this item.

12. COUNCIL COMMUNICATIONS

None.

13. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 8:00 PM.

Caren Ray Russom, Mayor

ATTEST:

Jessica Matson, City Clerk