



ACTION MINUTES
REGULAR MEETING OF THE CITY COUNCIL

August 27, 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 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, Assistant Planner
Patrick Holub, Utilities Manager Shane Taylor,
City Engineer Shannon Sweeney

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

City Clerk Matson took roll call. Council Members Barneich and George were absent.

3. FLAG SALUTE

Mayor Ray Russom led flag salute.

4. PUBLIC COMMENT ON CLOSED SESSION ITEMS

Mayor Ray Russom invited public comments for Items on the Closed Session Agenda. Speaking from the public were No Name Provided, Marlea Harmon, Gaea Powell, Michael Punsalon, Julie Tacker. No further comments were received. City Attorney Rosen responded to questions from the public.

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

*The City has received a cure and correct letter regarding modifications to the City Council Handbook alleging violations of the Brown Act by Julie Tacker.

[CC 2024-08-27 Attachment 1 - Cure and Correct Letter](#)

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

City Clerk Matson took roll call. Council Members Barneich and George were absent.

3. MOMENT OF REFLECTION

4. FLAG SALUTE

Mayor Ray Russom led the flag salute.

5. AGENDA REVIEW

5.a Closed Session Announcements

August 27, 2024

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

*The City has received a cure and correct letter regarding modifications to the City Council Handbook alleging violations of the Brown Act by Julie Tacker.

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 Secret

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

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

ABSENT (2): Council Member Barneich, and Council Member George

Passed (3 to 0)

6. SPECIAL PRESENTATIONS

6.a City Manager Communications

City Manager Downing shared information regarding the Active Transportation Plan public workshop coming up on September 26th; Measure E-24 Virtual Town Hall meetings; Summer Concerts through September; and announced that there will be no quorum for the September 10th Regular City Council meeting, but a Special City Council Meeting will be scheduled for September 9th at 6:00 p.m.

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

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.

7.a MAYOR RAY RUSSOM:

1. California Joint Powers Insurance Authority (CJPIA)
2. Five Cities Fire Authority
3. San Luis Obispo County Mayor's Meeting
4. South San Luis Obispo County Sanitation District (SSLOCSD)
5. Vandenberg Mayor's Advisory Group

7.b MAYOR PRO TEM GUTHRIE:

1. County Water Resources Advisory Committee (WRAC)
2. Council of Governments/Regional Transit Authority/ South County Transit (SLOCOG/SLORTA/SCT)
3. Integrated Waste Management Authority Board (IWMA)
4. REACH Economic Development Roundtable
5. Other

7.c COUNCIL MEMBER SECREST:

1. Air Pollution Control District (APCD)
2. South County Chambers of Commerce Governmental Affairs Committee

3. Other

8. COMMUNITY COMMENTS AND SUGGESTIONS

Mayor Ray Russom invited public comment and explained the new process pursuant to the City Council Handbook. City Manager Downing explained what "purview of the City Council" means and Brown Act guidelines as it relates to city councils. City Attorney Rosen explained "limited designated forum" and Brown Act guidelines regarding public comment.

Speaking from the public were Patty Welsh, Pamela Storton, Tim Cline, Cheryl Storton, Gary Adams, Stella Cline, Gaea Powell. Mayor Ray Russom gave three warnings to the speaker 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 6:25 p.m. and returned at 6:31 p.m.

City Attorney Rosen explained that the City Council Chamber is a limited public forum under the Brown Act.

Public Comment resumed. Speaking from the public were Michael Punsalon, Marlea Harmon. Mayor Ray Russom gave three warnings to the speaker 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 6:36 p.m. and returned at 6:46 p.m.

Public comment resumed. Speaking from the public were Victor, Ethel Landers. 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. There were none.

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

Moved by Mayor Pro Tem Guthrie
Seconded by Council Member Secret

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

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

ABSENT (2): Council Member Barneich, and Council Member George

Passed (3 to 0)

9.a Cash Disbursement Ratification

Reviewed and ratified the attached listing of cash disbursements for the period of July 16 through July 31, 2024.

9.b Approval of Minutes

Approved the minutes of the Regular City Council Meeting of August 13, 2024, as submitted.

9.c Monthly Water Supply and Demand Update

Received and filed the Monthly Water Supply and Demand Update.

9.d Adoption of an Ordinance 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

1) Adopted an Ordinance entitled: **"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";** and

2) Found that the Ordinance is exempt from the California Environmental Quality Act pursuant to Section 15061 of the CEQA Guidelines.

10. PUBLIC HEARINGS

10.a Public Art Project for the Repainting of Rancho Grande Basketball Court, Accepting a Donation of Time and Materials, and Approving a Fee Waiver Request

Assistant Planner Holub presented the item. Mr. Holub and City Manager Downing responded to questions from Council. The Pick Family, applicants, responded to questions from Council.

Mayor Ray Russom opened the public hearing. Speaking from the public were Terry Orton, Matt Barcellas, Mike Harris, Shannon Kessler, Michael Pick, Gaea Powell, and Trevor Pick. Upon hearing no further public comments, Mayor Ray Russom closed the public hearing.

Trevor Pick, applicant, responded to questions from Council.

Council discussion ensued regarding the artwork options presented; and the placement of the Lions Club logo in the artwork. City Manager Downing responded to questions from Council regarding logo placement in artwork and language that could be added to the Resolution. City Council expressed support of Design E.

Moved by Mayor Ray Russom
Seconded by Council Member Secret

1) Adopt a Resolution entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING A PUBLIC ART PROJECT TO PAINT RANCHO GRANDE PARK BASKETBALL COURT, ACCEPTING DONATION OF TIME AND MATERIALS, WAIVING PERMIT APPLICATION FEES, AND FINDING THE PROJECT EXEMPT FROM CEQA; LOCATION – RANCHO GRANDE PARK; APPLICANT – CITY OF ARROYO GRANDE, ARROYO GRANDE LIONS CLUB, AND THE PICK FAMILY";** with modifications to Finding #6 to include the language *"The inclusion of a nonprofit logo in this instance is acceptable due its location in a public park on City property with approval of the City Council;"* and

2) Determine that repainting a basketball court is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15301 of the State CEQA Guidelines.

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

ABSENT (2): Council Member Barneich, and Council Member George

Passed (3 to 0)

11. BUSINESS ITEMS

11.a 2023 Annual Report for the Northern Cities Management Area

Shane Taylor, Utilities Manager, presented the item and responded to questions from Council.

Mayor Ray Russom invited public comment. Speaking from the public was Mike Harris. No further public comments were received. Utilities Manager Taylor responded to questions from the public.

Mayor Ray Russom commented on community conservation efforts.

No action was taken on this item.

11.b Community Workforce Agreement for the Traffic Way Bridge Capital Improvement Project

City Manager Downing introduced the item. Bill Robeson, Assistant City Manager/Public Works Director, commented on the staff report.

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

No action was taken on this item.

12. COUNCIL COMMUNICATIONS

Council Member Guthrie commented that the Harvest Festival will take place in 31 days on September 27th and 28th and that Vendor sign-ups are about to close.

Mayor Ray Russom requested that the Council consider directing staff to agendize a discussion of a potential partnership with the City of Grover Beach on pavement contracts to possibly achieve economies of scale. Council Member Secret and Mayor Pro Tem Guthrie concurred.

13. ADJOURNMENT

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 7:58 p.m. and reminded the public that the next Council Meeting will be a special meeting on September 9, 2024.

Caren Ray Russom, Mayor

ATTEST:

Jessica Matson, City Clerk