



**ACTION MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**

**June 13, 2023, 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  
Barneich, Council Member George, Council  
Member Guthrie

Council Members Absent: Council Member Secrest

Staff Present: City Clerk Jessica Matson, City Attorney Isaac  
Rosen, City Manager Whitney McDonald,  
Assistant City Manager/Public Works Director  
Bill Robeson, Administrative Services Director  
Nicole Valentine, Community Development  
Director Brian Pedrotti, Recreation Services  
Director Sheridan Bohlken, Police Chief  
Michael Martinez, FCFA Chief Steve  
Lieberman, Human Resources Officer  
Tashina Ureno

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

**1. 5:00 PM CALL TO ORDER**

Mayor Ray Russom called the meeting to order at 5:07 p.m.

**2. ROLL CALL**

City Clerk Matson took roll call. Mayor Ray Russom led the flag salute.

**3. CLOSED SESSION ITEMS**

City Attorney Isaac Rosen, announced the City Council will recess to a closed session for the following:

**CONFERENCE WITH LABOR NEGOTIATORS PER GOVERNMENT CODE SECTION 54957.6**

Meet with City-designated negotiators described below. Negotiation will include salary, compensation and benefits:

1. Employee Organization: Arroyo Grande Police Officers' Association
  - a. City-designated negotiators: Che Johnson, Special Labor Counsel; Tashina Ureno, Human Resources Officer; Nicole Valentine, Director of Administrative Services
2. Employee Organization: Service Employees International Union, Local 620
  - a. City-designated negotiators: Che Johnson, Special Labor Counsel; Tashina Ureno, Human Resources Officer; Nicole Valentine, Director of Administrative Services
3. Unrepresented Management Employees

- a. City-designated negotiators: Che Johnson, Special Labor Counsel
- 4. City Manager
  - a. City-designated negotiators: Che Johnson, Special Labor Counsel

**4. PUBLIC COMMENT REGARDING CLOSED SESSION ITEMS**

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

**5. ADJOURN TO CLOSED SESSION**

Mayor Ray Russom adjourned to Closed Session at 5:08 p.m.

**6. 6:00 PM RECONVENE TO OPEN SESSION**

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**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**

City Attorney Rosen announced that the Council met in closed session; that there is no reportable action; and that Council can consider continuing the Closed Session.

Moved by Mayor Ray Russom  
Seconded by Council Member Guthrie

To continue the Closed Session meeting to after adjourning from the Regular City Council meeting.

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

ABSENT (1): Council Member Secrest

Passed (4 to 0)

**5.b Ordinances read in title only**

None.

**6. SPECIAL PRESENTATIONS**

**6.a Honorary Proclamation Declaring June 19, 2023 as "Juneteenth Day"**

Mayor Ray Russom read the Honorary Proclamation Declaring June 19, 2023 as "Juneteenth Day". Tobin Johnson, NAACP SLO County, accepted the proclamation.

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

No action was taken on this item.

**6.b City Manager Communications**

City Manager McDonald highlighted summer events provided by the Recreation Department; provided information about a schedule controlled burn to be performed by Cal Fire on June 15th and 16th; and discussed upcoming items for Council consideration.

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

No action was taken on this item.

**7. CITY COUNCIL REPORTS**

None.

**8. COMMUNITY COMMENTS AND SUGGESTIONS**

Mayor Ray Russom invited public comment. Speaking from the public was Patty Welsh, and No Name Provided. No further public comments were received.

**9. CONSENT AGENDA**

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

Moved by Mayor Pro Tem Barneich  
Seconded by Council Member George

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

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

ABSENT (1): Council Member Secrest

Passed (4 to 0)

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

1) Ratified the listing of cash disbursements for the period of May 1 through May 15, 2023; 2) Determined that ratifying the cash disbursements 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.b Consideration of Statement of Investment Deposits**

1) Received and filed the report listing investment deposits of the City of Arroyo Grande as of April 30, 2023, as required by Government Code Section 53646(b); and 2) Determined that receiving the report of investment deposits 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.c Approval of Minutes**

Approved the minutes of the Special Closed Session Meeting of May 25, 2023, and Regular City Council Meeting of May 23, 2023, as submitted.

**9.d Consideration of Adoption of a Resolution Declaring a Continued Local Emergency Related to the Ongoing Storm Events**

1) Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING A CONTINUED LOCAL EMERGENCY WITHIN THE CITY OF ARROYO GRANDE (MARCH 2023 AND ONGOING STORM EVENTS BEGINNING DECEMBER 27, 2022)"***; 2) Made findings that adopting the Resolution continuing a local emergency is not a project subject to the California Environmental Quality Act ("CEQA") because the continued 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. (b)(2)-(3), 15378.)

**9.e Consideration of Authorizing the Display of the Juneteenth Flag During the week of June 16-23, 2023, at City Hall**

Authorized the display of the Juneteenth Flag for the week beginning on June 16 through June 23, 2023, at City Hall.

**9.f Releasing Via Quitclaim the County's Interest in City's 400 W. Branch Real Property**

1) Authorized approval of the Agreement with the County in substantially final form, subject to minor changes approved by the City Manager in consultation with the City Attorney as necessary to effectuate the intent of the parties, and the recordation of the subject quitclaim deed with the County Registrar. 2) Made findings that approval of the Agreement with the County 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 Consideration to Authorize a Request for Proposals (RFP) to Conduct a Voter Opinion Survey and Public Education Services for a Potential Future Ballot Measure**

Authorized the City Manager to publish a Request for Proposals (RFP) for Voter Opinion Survey and Public Education services for an amount not to exceed \$115,000.

**9.h Consideration of Engineer's Reports and Resolutions Declaring the City's Intention to Levy and Collect Assessments**

1) Approved the Engineer's Reports for the Parkside Village Assessment District, Grace Lane Assessment District, and Arroyo Grande Landscaping and Lighting Assessment District No. 1, within Tract 1769, for FY 2023-2024; 2) Adopted Resolutions entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED TO THE PARKSIDE VILLAGE ASSESSMENT DISTRICT FOR FISCAL YEAR 2023-2024"***; ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED TO THE GRACE LANE ASSESSMENT DISTRICT FOR FISCAL YEAR 2023-2024"***; and ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED TO THE ARROYO GRANDE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1, WITHIN TRACT 1769, FOR FISCAL YEAR 2023-2024"***; 3) Set a public hearing for June 27, 2023 at 6:00 p.m. for the Parkside Village Assessment District, Grace Lane Assessment District, and Arroyo Grande Landscaping and Lighting Assessment District No. 1, within Tract 1769, to consider levying the property assessments; and 4) Made findings that the consideration of Engineer's Reports and Resolutions declaring the City's intention to levy and collect assessments is categorically exempt from the California Environmental Quality Act ("CEQA") under the Class 2 exemption, which applies to the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. (State CEQA Guidelines, § 15302.)

**9.i Consideration of an Award of Contracts for Construction of the 2022 Street Repairs Project (PW 2022-05) and the 2022 Slurry Seal Project (PW-2022-06)**

1) Awarded a contract for the 2022 Street Repairs Project to JJ Fisher Construction in the amount of \$3,782,005 for both the base bid and additive bid; 2) Authorized the City Manager to approve change orders of 10% of the contract amount, \$378,200.50, for unanticipated costs during the construction phase of the 2022 Street Repairs Project; 3) Awarded a contract for the 2022 Slurry Seal Project to American Asphalt South in the amount of \$1,737,575.49; 4) Authorize the City Manager to approve change orders of 10% of the contract amount, \$173,757.55, for unanticipated costs during the construction phase of the 2022 Slurry Seal Project.

**9.j Consideration to Approve Construction Plan & Specifications and Environmental Exemption for the 2022 Concrete Repairs Project, PW 2022-07**

1) Approved the construction plans & specifications for the 2022 Concrete Repairs Project, PW 2022-07; 2) Authorized staff to advertise for construction bids; 3) Found that the plans & specifications for the Concrete Repairs Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Guidelines Section 15301(c), a Class 1 exemption, which applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing structures, facilities, mechanical equipment, or topographical features where the project involves negligible or no expansion of existing or former use; and 4) Directed the City Clerk to file a Notice of Exemption.

- 9.k Consideration of Resolution Approving Temporary Use Permit 23-005; Authorization for Sale of Beer and Wine at the 2023 Heritage Square Park Summer Concert Series and Application Fee Waiver; Location Heritage Square Park; Applicant – Arroyo Grande Rotary**

Adopted a Resolution entitled: ***"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE APPROVING TEMPORARY USE PERMIT NO. 23-005 AND APPROVING A WAIVER OF FEES; AUTHORIZATION FOR THE SALE OF BEER AND WINE AT THE 2023 HERITAGE SQUARE PARK SUMMER CONCERT SERIES; APPLIED FOR BY THE ARROYO GRANDE ROTARY CLUB"***.

- 9.l Consider an Agreement between the County of San Luis Obispo and the City for Joint Participation in the CDBG Program, Home Investment Partnerships Program, and Emergency Solutions Grant Program for FY 2024-25 through FY 2026-27**

1) Adopted a Resolution entitled: ***"A COOPERATION AGREEMENT BETWEEN THE COUNTY OF SAN LUIS OBISPO AND THE CITY OF ARROYO GRANDE FOR JOINT PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, THE HOME INVESTMENT PARTNERSHIPS PROGRAM, AND THE EMERGENCY SOLUTIONS GRANT PROGRAM FOR FISCAL YEARS 2024/25 THROUGH 2026/27"***; and 2) Made findings that the execution of the Agreement is not a project for purposes of compliance with the provisions of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. (State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.)

- 9.m Consideration of Approval of an Agreement for Consultant Services with KTUA for the Active Transportation Plan**

1) Approved and authorized the Mayor to execute an Agreement for Consultant Services with KTUA to assist the City with the Active Transportation Plan in substantially final form (subject to minor revisions as approved by the City Council consistent with Council direction); and 2) Determined that approving the Agreement is not a project subject to the California Environmental Quality Act ("CEQA") because preparation of the Plan itself 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). Additionally, the City and consultant will evaluate potential impacts of the Active Transportation Plan in compliance with the California Environmental Quality Act, and prepare any appropriate environmental document at that time, if required.

## **10. PUBLIC HEARINGS**

- 10.a Public Hearing to Consider the FY 2023-25 Biennial Budget and 5-Year Capital Improvement Program Budget**

Administrative Services Director Valentine presented the report and recommended that Council receive public comment regarding the proposed FY 2023-25 Biennial Budget and FY 2023-28 Capital Improvement Program Budget and provide direction to staff to finalize the two-year budget for adoption on June 27, 2023.

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

Moved by Mayor Pro Tem Barneich  
Seconded by Council Member George

Direct to staff to finalize the FY 23-25 budget for adoption on June 27, 2023.

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

ABSENT (1): Council Member Secrest

Passed (4 to 0)

## 11. **OLD BUSINESS**

### 11.a **Consideration of Approval of Amended and Restated Joint Exercise of Powers Agreement for FCFA; Appointment of Representatives to the Board of Directors; Agreements Between FCFA and OCSD Regarding Short-Term Fire and Emergency Services and Ongoing CalPERS**

City Manager McDonald presented the report and staff responded to questions from Council.

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

Council Member George expressed support for the Agreements between FCFA and OCSD; and expressed support for the current reserve amount in the FCFA FY 2023-24 Budget.

Council Member Guthrie expressed support for the current reserve amount in the FCFA FY 2023-24 Budget.

Council discussion ensued regarding representation on the new FCFA Board and the preference for members of the Board to be on alternating cycles related to Council terms.

Council Member George and Mayor Ray Russom agreed to serve on the Board. Mayor Pro Tem Barneich agreed to serve as alternate.

Moved by Council Member Guthrie  
Seconded by Council Member George

Appoint Council Member George and Mayor Ray Russom as the primary members of the FCFA Board of Directors and Mayor Pro Tem Barneich as the alternate.

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

ABSENT (1): Council Member Secrest

Passed (4 to 0)

Moved by Council Member Guthrie  
Seconded by Council Member George

Approve the Amended and Restated Joint Exercise of Powers Agreement for the FCFA (with direction to transmit the approved Joint Exercise of Powers Agreement consistent with State law) with a formal execution date of June 22, 2023.

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

ABSENT (1): Council Member Secrest

Passed (4 to 0)

**12. NEW BUSINESS**

None.

**13. COUNCIL COMMUNICATIONS**

Mayor Ray Russom thanked staff for their efforts in organizing the Mayors meeting.

**14. ADJOURNMENT**

There being no further business to come before the City Council, Mayor Ray Russom adjourned the meeting at 7:20 p.m. to the continued special Closed Session meeting. Mayor Ray Russom adjourned the special Closed Session meeting at 8:49 p.m.

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Caren Ray Russom, Mayor

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Jessica Matson, City Clerk