

**MINUTES
CITY COUNCIL MEETING
MONDAY, NOVEMBER 2, 2015**

CALL TO ORDER Mayor Shoals called the meeting to order at 6:30 p.m. in the City Hall Council Chambers, 154 South Eighth Street, Grover Beach, California.

MOMENT OF SILENCE

FLAG SALUTE The flag salute was led by David Pettrick, a 12-year-old, 5th grade student at Grover Beach Elementary School.

ROLL CALL

City Council: Council Members Karen Bright, Barbara Nicolls, Mariam Shah, Mayor Pro Tern Jeff Lee, and Mayor John Shoals were present.

City Staff: City Manager Robert Perrault, City Attorney Martin Koczanowicz, City Clerk Donna McMahon, Police Chief John Peters, Administrative Services Director Gayla Chapman, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Greg Ray, and Planner II Janet Reese were also present.

Also present was Eric Daniels, Pacific Gas & Electric.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Koczanowicz read the following announcement:

On Monday, October 19, 2015 after meeting in Closed Session regarding:

1. Conference with Real Property Negotiators
Pursuant to Government Code Section 54956.8
Property: APN 060-381-010, 011
Agency negotiator: City Manager and City Attorney
Negotiating party: Pacifica Companies
Under negotiation: Terms and conditions of potential lease

2. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6.
Agency Negotiator(s): City Manager Robert Perrault, Special Counsel Che Johnson, Administrative Services Director Gayla Chapman, Assistant Administrative Services Director Eve Byrd, and Human Resources Coordinator/ Deputy City Clerk Channelle Hubbard (May include some or all of the above)
Represented Employee Groups:(SEIU) Service Employees International Union, Local 620, and Grover Beach Police Officers' Association (GBPOA).

3. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager Robert Perrault, and Administrative Services Director Gayla Chapman
Unrepresented Employee Groups: Management & Confidential Employees

the City Council reconvened into open session and announced there were no reportable actions taken.

AGENDA REVIEW

City Manager Perrault stated that Eric Daniels, a representative from PG&E, had earlier requested an opportunity to present information to the City Council regarding a streetlight upgrade project in Grover Beach. The presentation was originally scheduled for the meeting of November 16th but, due to a scheduling conflict, it was requested that the Council permit Mr. Daniels the opportunity to present the information along with a PowerPoint this evening during or just after "Public Communications".

Mayor Shoals noted that, although it was informational only, as an employee of PG&E he would recuse himself from the presentation.

Action: Upon consensus (Mayor Shoals abstaining on the matter of the PG&E presentation due to a conflict of interest), the Council amended the agenda to add a presentation from PG&E and adopted the agenda as amended.

CEREMONIAL CALENDAR

None at this time.

PUBLIC COMMUNICATIONS

Mayor Shoals opened the floor to any member of the public for comment on items of interest which were within the jurisdiction of the City Council, but were not listed on the agenda. No public comments were received at this time.

As noted earlier under Agenda Review, due to a conflict of interest regarding the next agenda item and his employment with PG&E, Mayor Shoals stepped down from the dais and left the Council Chambers.

PRESENTATION

A. LED Streetlight Upgrade Project.

Mayor Pro Tem Lee deferred to staff to introduce the presenter. City Manager Perrault introduced Eric Daniels, Government Affairs Manager for Pacific Gas & Electric (PG&E). Referencing a PowerPoint presentation, Mr. Daniels provided an overview of the project to upgrade PG&E-owned streetlights to more energy-efficient light-emitting diode (LED) fixtures. He described the improvements as part of a company-wide effort to upgrade non-decorative streetlights with replacement lights that provided brighter lighting and improved visibility for both drivers and pedestrians. He also noted the program was scheduled to begin in the South County area by late fall, and then responded to questions from the Council.

At this time Mayor Shoals returned to the dais.

PUBLIC HEARINGS

1. Appeal of the Planning Commission Denial of Development Permit No. 14-21.

Appellant: Thomas J. O'Sullivan; Appellant's Representative: Paul Bischoff;

Project Site: An undeveloped lot on South Oak Park Boulevard, intersected by Manhattan Avenue on the west and Cranberry and Blackberry Streets on the east (APN 060-309-005).

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Planner II Reese provided an overview regarding the appeal of the Planning Commission's decision of September 16, 2015 to deny a proposed three-unit Planned Unit Development project.

Public Works Director/City Engineer Ray continued the staff presentation and displayed a photo of the project area and diagrams of the proposed driveway access. He described concerns regarding egress/ingress issues with the proposed driveway design, conflicts with traffic circulation, noted that the width of the proposed driveway did not conform with City standards, and presented alternative driveway design solutions.

Planner II Reese concluded staff's presentation with a summary of the required findings to uphold the appeal. Staff then responded to questions from the Council.

Discussion ensued regarding the width of the proposed driveway, traffic safety issues, architectural compatibility with the surrounding neighborhood, and that design standards of an adjoining community would not necessarily be required in Grover Beach. Additional discussion was held regarding potential driveway design solutions that would involve approval from the adjacent property owner.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter.

Paul Bischoff, Appellant's Representative, expressed the Appellant's willingness to modify the architectural treatment of Unit 3 to complement the Berry Gardens development in Arroyo Grande. He clarified that the adjoining Homeowners Association declined the request to share driveway access. He suggested the City also consider eliminating on-street parking along portions of Oak Park Boulevard or prohibiting mid-block left-hand turns. He then responded to questions from the Council.

John Laferriere, Chair, Planning Commission, noted that once traffic safety issues were addressed, the Planning Commission will be ready to assist with issues regarding architectural design.

There were no further public comments received and the Mayor closed the Public Hearing.

Council discussion continued regarding driveway widths, alternative design solutions, setback requirements, and whether a traffic study of the project area would be warranted.

City Attorney Koczanowicz clarified the matter before the Council regarding the appeal.

Upon question, Mr. Bischoff requested the Council proceed with making its decision this evening regarding the appeal.

Additional Council discussion ensued regarding pedestrian, vehicle, and bicycle traffic safety concerns.

Action: It was moved by Council Member Shah and seconded by Mayor Pro Tern Lee to adopt Resolution No. 15-59 denying the appeal and upholding the Planning Commission's action, and provided direction for staff to continue working with the applicant to address the traffic safety concerns for the project. The motion carried on the following roll call vote:

AYES: Council Members Bright, Nicolls, Shah, Mayor Pro Tern Lee, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 15-59: A Resolution of the City Council of the City of Grover Beach Denying the Appeal for Development Permit 14-21, Upholding the Planning Commission Action (Oak Park Boulevard at Manhattan Avenue/Cranberry Street).

2. Time Extension for a Tentative Tract Map Located at 204-280 West Grand Avenue (Development Permit No. 15-15). Applicant: Beach Place LLC; Project Site: 204-280 West Grand Avenue, Grover Beach.

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Community Development Director Buckingham provided a brief overview regarding the request for a one-year time extension to record a Tentative Tract Map related to a 22-unit, mixed-used development located at 204-280 West Grand Avenue (Beach Place) in Grover Beach. He noted the development is comprised of two separate, two-story buildings with a total of seven commercial units and 15 residential units. He then responded to questions from the Council and noted that the applicant was not in attendance at the meeting.

Mayor Shoals invited comments from those in the audience who wished to be heard on this matter. No public comments were received at this time, and the Mayor closed the Public Hearing.

Action: It was moved by Council Member Bright and seconded by Mayor Pro Tern Lee to adopt Resolution No. 15-60 approving a one-year time extension for the Tentative Tract Map. The motion carried on the following roll call vote:

AYES: Council Members Bright, Nicolls, Shah, Mayor Pro Tern Lee, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 15-60: A Resolution of the City Council of the City of Grover Beach Approving a One-year Time Extension for a Tentative Tract Map for 204-280 West Grand Avenue (Development Permit 15-15).

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Mayor Pro Tem Lee requested and received information regarding (Consent Agenda Item No. 6) the other professional design firms that submitted proposals. He then requested and received clarification regarding (Consent Agenda Item No. 7) supplemental information distributed to the Council at the dais that outlined minor typographical corrections to the Memorandum of Understanding with the labor group represented by SEIU, Local 620.

It was then moved by Council Member Nicolls and seconded by Mayor Pro Tern Lee to approve Consent Agenda Item Nos. 3, 4, 5, 6, and 7, as recommended. The motion carried on the following roll call vote:

AYES: Council Members Bright, Nicolls, Shah, Mayor Pro Tern Lee, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

3. Treasurer's Report for the Period October 14, 2015 - October 28, 2015.

Action: Approved the Treasurer's Report as submitted.

4. Treasurer's Report for the Streets Bond Account (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period October 14, 2015 - October 28, 2015.

Action: Approved the Treasurer's Report as submitted.

5. Second Reading and Adoption of Ordinance No. 15-05 Amending the Grover Beach Municipal Code Article X, Chapter 4, Changing the Wagering Limits to a No Limit Game. Applicant: David Stearns, Central Coast Casino, 359 West Grand Avenue, Grover Beach - Adopting an Ordinance to repeal the current maximum wagering limits of Five Hundred Dollars (\$500) per wager and One Thousand Dollars (\$1,000) on any single hand played within a licensed premises instituting a "no limit" provision.

Action: Conducted second reading, by title only, and adopted Ordinance No.15-05.

Ordinance No. 15-05: Ordinance of the City Council of the City of Grover Beach, California, Amending Article X, Chapter 4 of the Grover Beach Municipal Code Pertaining to Card Table Licenses and Regulations.

6. Award of Design Services for the Community Development Block Grant-funded Water Main Project - Awarding a contract for design and construction management services associated with the waterline replacement project.

Action: 1) Adopted Resolution No. 15-61 authorizing the City to enter into a Consulting Services Agreement with Wallace Group in an amount not to exceed \$158,127 for design and construction management services; and 2) authorized the Mayor to execute the agreement on behalf of the City based on final review of the Consulting Services Agreement by the City Attorney.

Resolution No. 15-61: Resolution of the City Council of the City of Grover Beach, California, Authorizing the City to Enter Into a Consultant Services Agreement with Wallace Group to Provide Professional Design Engineering and Construction Management Services on the Community Development Block Grant-funded Water Main Project.

7. Proposed Three-Year Successor Memorandum of Understanding with Service Employees International Union (SEIU), Local 620 - Authorizing the City to enter into a three-year successor Memorandum of Understanding with Service Employees International Union, Local 620 (SEIU).

Action: 1) Adopted Resolution No. 15-62 ratifying the three-year Successor Memorandum of Understanding with the Services Employees International Union, Local 620 (SEIU); 2) adopted Resolution No. 15-63 amending the Classification and Compensation Plan for job classes represented at the City by SEIU, Local 620; and 3) adopted Resolution No. 15-64 amending the FY 16 Budget.

Resolution No. 15-62: A Resolution of the City Council of the City of Grover Beach, California, Ratifying a Memorandum of Understanding with Service Employees International Union, Local 620 (SEIU) from July 1, 2015 to June 30, 2018.

Resolution No. 15-63: A Resolution of the City Council of the City of Grover Beach, California, Amending the Salary Schedule of the City's Classification and Compensation Plan.

Resolution No. 15-64: A Resolution of the City Council of the City of Grover Beach, California, Adopting the 9th Amendment to the Annual Appropriation Resolution No. 15-26 to Provide Funding for the Agreement Between the City of Grover Beach and Service Employees International Union (SEIU) for Fiscal Year 16.

REGULAR BUSINESS

8. Status Report on Police Department Staffing, Establishing the Job Classification and Salary Range for Police Officer Trainee, and Adjusting the Salary Range for Reserve Police Officer.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Referencing a PowerPoint presentation, Police Chief Peters reviewed staffing levels in the Police Department, described the proposal to establish the job classification of Police Officer Trainee, and amend compensation ranges for the job classes of Police Officer Trainee and Reserve Police Officer. He then responded to questions from the Council.

Discussion ensued regarding the recruitment and training process for sworn personnel and the competitive recruitment efforts conducted by law enforcement agencies of students enrolled in the Police Academy even prior to graduation. Additional discussion was held of the compensation and staffing levels among local law enforcement agencies.

Action: It was moved by Council Member Bright and seconded by Council Member Shah to: 1) receive and file the report, and 2) adopt Resolution No. 15-65 establishing a Police Officer Trainee job classification and amending the Classification and Compensation Plan for the job classes of Police Officer Trainee and Reserve Police Officer. The motion carried on the following roll call vote:

AYES: Council Members Bright, Nicolls, Shah, Mayor Pro Tern Lee, and Mayor Shoals.

NOES: Council Members - None.

ABSENT: Council Members - None.

ABSTAIN: Council Members - None.

Resolution No. 15-65: Resolution of the City Council of the City of Grover Beach, California Establishing a Police Officer Trainee Job Classification and Amending the Classification and Compensation Plan for the Job Classes of Police Officer Trainee and Reserve Police Officer.

9. Update Regarding Efforts to Address Vagrancy Issues.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault briefly outlined the actions taken by the City Council and the implementation of subsequent programs to address issues regarding vagrancy and curb the related impacts on the community. Staff then responded to questions from the Council.

Brief discussion was held regarding increasing efforts to partner with residents and the local business community for a more effective program, installing signage in parks and the downtown corridor regarding panhandling regulations, as well as "No Trespassing" or "No Loitering" signs at certain private property locations. Additional discussion was held

regarding costs for installing security cameras and the City's limited resources posing challenges to scheduling more frequent bike and foot patrols by the Police Department.

Action: Upon unanimous consensus, the report was received and filed. The Council then authorized staff to schedule a Special City Council Workshop during the second week in December to discuss impacts from transient/vagrant activities on local businesses and, once the meeting date was established, to advertise the workshop in the upcoming Chamber of Commerce newsletter.

Recess: Upon consensus of the City Council, the meeting recessed at 9:26 p.m.
Reconvene: At 9:33 p.m., the meeting reconvened with all Council Members present.

10. Consideration of a Fair Share Payment Plan / Agreement for the Deferral of Sewer Impact Fees Associated with the Hotel Project Located at 950 El Camino Real.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Perrault briefly described a plan for the payment of sewer improvement costs associated with the construction of a proposed 132-room hotel development (Holiday Inn) located at 950 El Camino Real. He noted a recent review of the hotel's sewer impact on the downstream sewer collection system indicated certain line segments in the collection system would require replacement at various times in the future. A portion of the replacement cost would be the responsibility of the hotel developer. Additionally, the developer would be constructing a private sewer force main that only served the hotel and was connected to the City's lift station at Nacimiento. Staff then responded to questions from the Council.

Brief discussion was held regarding fees, updating the City's Sewer and Water Master Plans, the process for measuring pipe flows, and the estimated construction schedule.

Council Member Shah expressed concerns regarding the terms of the payment plan in the draft resolution.

City Attorney Koczanowicz recommended amending the draft resolution as follows (added text indicated with a double underline):

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Grover Beach that the City is hereby authorized to develop a Fair Share Payment Plan and related Agreement provided any such agreement does not exceed the fair share amount of \$251,719 which will be reduced by developer participation to \$194,615. The resulting balance of \$194,615 shall be payable over a 15-year period rate based on the State's Local Agency Investment Fund interest rate plus two percent (2%). The form of the agreement and required security will be in a form and substance acceptable to the City Attorney.

Action: It was moved by Council Member Nicolls and seconded by Mayor Pro Tem Lee to amend the Resolution as recommended by the City Attorney, and adopt Resolution No. 15-66, as amended, authorizing a Fair Share Payment Plan/Agreement with Urban Commons for the deferral of Sewer Impact Fees associated with the hotel project on El Camino Real. The motion carried on the following roll call vote:

AYES: Council Members Bright, Nicolls, Shah, Mayor Pro Tern Lee, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

Resolution No. 15-66: A Resolution of the City Council of the City of Grover Beach, California, Authorizing the City to Develop a Fair Share Payment Plan and Enter into an Agreement with Urban Commons.

11. Status Report Regarding Capital Improvement Project.

Mayor Shoals suggested rescheduling the report on Capital Improvement Projects to the next regularly scheduled meeting.

Brief discussion was held with regards to the Train Station expansion project and the requirements that limited increasing the number of trips generated.

Action: Upon unanimous consensus, the Council deferred receiving the update until the next City Council meeting.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Shah stated that she had no reports at this time.

Council Member Bright stated that she had no reports at this time.

Council Member Nicolls stated that she had no reports at this time.

Mayor Pro Tem Lee stated that he had no reports at this time.

Mayor Shoals briefly described items scheduled for discussion at the next meeting of the South San Luis Obispo County Sanitation District.

COUNCIL COMMUNICATIONS

- A. Council Member Shah announced the Chamber of Commerce was accepting nominations for Citizen of the Year and the Tally Award for Youth. She also noted that she would be attending an upcoming workshop regarding affordable housing and that the workshop was being sponsored by the Housing Trust Fund.
- B. Council Member Nicolls announced details of a nationwide program called "Americans Shine a Light on Veterans".
- C. Mayor Shoals requested, and City Manager Perrault confirmed, that a copy of the response received from Caltrans regarding vehicle speeds and signage along Highway 101 would be communicated to the citizen who originally raised the concern.
- D. Council Member Shah announced that Grover Beach business and property owner, Cliff Clark, was scheduled to be honored and presented with an award for philanthropy at the Madonna Inn on Tuesday, November 3, 2015.

CITY MANAGER'S REPORTS AND COMMENTS

12. Discussion Regarding Scheduling a Workshop on the Roles of Elected Officials During a Local Emergency.

Upon consensus of the City Council, this item was rescheduled to a future City Council meeting.

13. Discussion Regarding Scheduling a Special City Council Meeting Regarding Water Issues.

Brief discussion was held regarding scheduling a date to conduct a Special City Council meeting to discuss several matters related to the issue of "water".

Upon unanimous consensus, Council authorized staff to schedule a Special City Council meeting to be held in the Council Chambers at City Hall on Monday, November 30, 2015 at 6:30 p.m.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 10:25 p.m., the Council met in Closed Session regarding the following items:

1. **Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6.
Agency Negotiator(s): City Manager Robert Perrault, Special Counsel Che Johnson, Administrative Services Director Gayla Chapman, Assistant Administrative Services Director Eve Byrd, and Human Resources Coordinator/Deputy City Clerk Channelle Hubbard
(May include some or all of the above)
Represented Employee Groups:(SEIU) Service Employees International Union, Local 620, and Grover Beach Police Officers' Association (GBPOA)

2. **Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager Robert Perrault, and Administrative Services Director Gayla Chapman
Unrepresented Employee Groups: Management & Confidential Employees

3. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: APN 060-381-010, 011
Agency negotiator: City Manager and City Attorney
Negotiating party: Pacifica Companies
Under negotiation: Terms and conditions of potential lease

Closed Session Announcements: At 10:51 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present, and announced there were no reportable actions taken during Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 10:52 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:
/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 12/21/2015)