

**MINUTES
CITY COUNCIL MEETING
MONDAY, JULY 5, 2016**

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 Council Member Nicolls.

ROLL CALL

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

City Staff: City Manager Matthew Bronson, City Attorney Martin Koczanowicz, City Clerk Donna McMahon, Police Chief John Peters, Administrative Services Director Gayla Chapman, Community Development Director Bruce Buckingham, and Parks & Recreation Program Director Kathy Petker were also present.

Also present was Geoff Straw, Executive Director, San Luis Obispo Regional Transit Authority.

AGENDA REVIEW

Action: Upon unanimous consensus, the Council adopted the agenda as presented.

CEREMONIAL CALENDAR

1. Proclamation Declaring July 2016 as “National Park & Recreation Month”.

Mayor Shoals was joined by Mayor Pro Tem Lee in presenting the proclamation to Parks & Recreation Program Director Petker, who described programs, classes, and volunteer opportunities available through the Parks and Recreation Department, as well as special events held throughout the year.

PRESENTATIONS

2. Presentation by South County Transit Regarding Planned Service Changes.

Geoff Straw, Executive Director of the San Luis Obispo Regional Transit Authority, provided an overview of bus transit services offered through South County Transit. He also outlined upcoming changes to bus fares and transportation routes, and responded to questions from the Council.

PUBLIC COMMUNICATIONS The Mayor 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.

- A. Jim Wilson, Grover Beach resident and member of the Long Oak Estates Homeowners Association, commented on recent sidewalk improvements on South 16th Street between Long Branch Avenue and West Grand Avenue, expressing concerns regarding tree removals associated with that project.
- B. Eric Daniels, Public Affairs Representative, Pacific Gas & Electric Company, described transition plans for the recently announced closure of the Diablo Canyon Power Plant.
- C. Cassandra Appleton, Grover Beach resident, spoke in support of constructing additional sidewalk improvements in the community. She then expressed concerns regarding the City awarding grant funds to the non-profit group SLO Housing Connections.

Upon request, Community Development Director Buckingham clarified the process required for local non-profit groups awarded Community Development Block Grants to be reimbursed for the services each agency provided. He also confirmed that these specific grant funds could not be applied towards the construction of infrastructure improvements.

PUBLIC HEARING

None at this time.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item No. 10 was pulled pursuant to the request of Mayor Pro Tem Lee. It was moved by Council Member Bright and seconded by Council Member Shah to approve Consent Agenda Item Nos. 3, 4, 5, 6, 7, 8, and 9, as recommended. The motion carried on the following roll call vote:

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

3. Treasurer's Report for the Period June 15, 2016 - June 29, 2016.

Action: Approved the Treasurer's Report as submitted.

4. Treasurer's Report for the 2015 Streets Bond Account - \$5,000,000 (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period June 15, 2016 - June 29, 2016.

Action: Approved the Treasurer's Report as submitted.

5. Treasurer's Report for the 2016 Streets Bond Account - \$8,000,000 (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period June 15, 2016 - June 29, 2016.

Action: Approved the Treasurer's Report as submitted.

6. Minutes of the City Council Meeting on May 17, 2016.

Action: Approved the minutes as submitted.

7. Revision to Staff Signatory - Revising the list of identified City personnel authorized to approve check registers, specifically replacing "Interim City Manager" with "City Manager".

Action: Adopted Resolution No. 16-56.

Resolution No. 16-56: A Resolution of the City Council of the City of Grover Beach Revising the List of Authorized Staff Signatories.

8. Authorizing Certain City Officials to Order Deposits and Withdrawals from the Local Agency Investment Fund (LAIF) - Amending the list of City officials authorized to make deposits or withdrawals from the City's Local Agency Investment Fund, specifically replacing "Interim City Manager James Copsey" with "City Manager Matthew Bronson".

Action: Adopted Resolution No. 15-57.

Resolution No. 16-57: A Resolution of the City Council of the City of Grover Beach, California Authorizing Certain City Officials to Order Deposits and Withdrawals from the Local Agency Investment Fund (LAIF).

9. Request to Destroy Records in Accordance with the Established Records Retention Schedule - Authorizing the destruction of certain Administrative Services Department records in accordance with the City's established retention schedule.

Action: Adopted Resolution No. 16-58.

Resolution No. 16-58: Resolution of the City Council of the City of Grover Beach, California Accepting the Administrative Services Department's Recommendations for Records Destruction.

REGULAR BUSINESS

11. Economic Development Strategy - Selection of Development Prototype Projects.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Community Development Director Buckingham briefly described previous direction received from the Council regarding updating the City's Economic Development Strategy. He noted that further Council input was being requested on the selection of prototype projects to assist with identifying the financial feasibility of future development projects. He then responded to questions from the Council.

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.

Brief discussion was held regarding the types and potential locations for future preferred developments, as well as upcoming stakeholder and property owner interviews that would provide relevant data on the factors influencing economic development in Grover Beach.

Action: Upon consensus of the Council, the two preferred locations and prototype projects were identified as follows:

- *The northeast corner of West Grand Avenue and 4th Street* - Mixed-use development with retail offices and hotel rooms; and
- *The north side of West Grand Avenue, between 6th Street and 7th Street* - Multi-family housing development.

Additionally, if an opportunity becomes available to conduct further analysis, the following location and prototype project was identified:

- *The south side of West Grand Avenue, between 5th and 6th Street* - Active senior living development.

12. Request for Direction on Drafting an Ordinance to Regulate Commercial Medical Marijuana Uses.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. For the information of those present, Community Development Director Buckingham provided an overview of the City's regulations on medical marijuana dispensaries and commercial cultivation and noted the representatives who had contacted the City expressing interest in locating a medical marijuana business in Grover Beach. He then outlined the estimated four to six month process to prepare a draft ordinance, per the Council's previous direction, that would regulate commercial medical marijuana uses, as well as the process and time frame necessary for placing a tax measure on a general election ballot regarding medical marijuana businesses. Police Chief Peters continued the staff presentation by outlining public safety concerns related to commercial medical marijuana uses. Staff then responded to questions from the Council.

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

The following persons spoke in support of developing an ordinance to allow the establishment of commercial medical marijuana businesses in the city, described similar businesses safely operating in other cities and states, and cited examples of medicinal marijuana successfully alleviating some of the side effects for patients undergoing cancer treatments:

- Matthew Sweat, Point Bay Distributors and Surterra Holdings;
- Sam Sweat, Point Bay Distributors and Surterra Holdings;
- Cynthia Gonzalez, Elite Care SF;
- Tami Peluso, Elite Care SF;
- Matthew Bashwiner, The Monarch;
- Sunni Mullinax, The Monarch; and
- Steven Weisman, The Monarch.

Brandon Gesicki, Capitol Consulting, also spoke in support of placing a tax measure on the ballot, described his firm's consulting services and expertise in this matter, and noted other agencies also considering similar ordinances and tax measures.

There were no further public comments received at this time.

Mayor Pro Tem Lee and Council Member Shah noted that they had individually met recently with representatives to receive information on the medical marijuana industry.

Council discussion ensued regarding the development of an ordinance to regulate commercial medical marijuana uses in the city, areas in the city where these activities would be allowed, and the extend to which those activities would be allowed. Additional discussion was held on sample ordinances to potentially utilize for the initial framework of a regulatory ordinance that could then be tailored to the needs of Grover Beach, and allocating General Fund Reserve Funds towards the cost of developing the ordinance. Discussion was also held regarding cost recovery fees that would be applicable subsequent to adoption of the ordinance, as well as various options for levying a tax on commercial medical marijuana uses and the impending deadline for placing a tax measure on the November 2016 ballot.

Action: Upon consensus of the City Council, direction was provided for staff to proceed with the development of an ordinance regulating commercial medical marijuana uses in the city, and to schedule Council discussion at the next regularly scheduled City Council meeting of July 18, 2016 regarding placing a tax measure on the ballot for the November 2016 General Municipal Election.

Recess: Upon unanimous consensus of the City Council, the meeting recessed at 8:58 p.m.
Reconvene: At 9:14 p.m., the meeting reconvened with all Council Members present.

PULLED CONSENT AGENDA ITEMS

10. Delegation of Authority to the City Engineer to Execute Caltrans Local Assistance Documents Associated with State and Federal Grant-funded Projects.

Mayor Pro Tem Lee suggested amending the draft Resolution to designate the authority to execute Caltrans documents to “the City Manager or the City Manager’s designee” rather than to “the City Engineer”, similar to the delegation of authority included in other City resolutions and agreements.

Brief discussion was held regarding the intent of adopting a resolution that established the authority for City staff to execute documents between the City and Caltrans Local Assistance, and that the resolution was not project specific.

Upon request, City Manager Bronson provided the Council with a verbal update regarding the status of the Train Station Expansion Project and the tentatively scheduled date for the Council to discuss a related matter regarding the issue of a lease.

Action: Upon consensus of the City Council, the draft Resolution was amended to designate the City Manager or the City Manager’s designee as the authorized representative. It was then moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to adopt Resolution No. 16-59, as amended, delegating authority to and designating the City Manager to execute Caltrans Local Assistance documents associated with the processing of state and federal grants. The motion carried on the following roll call vote:

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

Resolution No. 16-59: A Resolution of the City Council of the City of Grover Beach, California, Approving Delegation of Authority for Executing Caltrans Documents.

COUNCIL COMMITTEE REPORTS

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

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

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

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

Mayor Shoals stated that he had no committee reports at this time.

COUNCIL COMMUNICATIONS

- A. Mayor Pro Tem Lee announced that he would be absent from the next regularly scheduled City Council meeting on July 18, 2016 and noted that Council Member Bright, as the alternate representative, would be attending the next Zone 3 meeting on July 21 on his behalf.
- B. Council Member Bright noted that she'd received comments from residents expressing concerns with both legal and illegal fireworks being discharged in close proximity to residences, particularly during severe drought conditions.

Action: Upon consensus of the City Council, direction was provided for staff to schedule Council discussion on a future agenda regarding the issue of fireworks and calls for service related to fireworks by police and fire personnel.

- C. Council Member Shah announced details of two new youth reading programs being offered at the Grover Beach Community Library - Story Time and Reading to Rover.
- D. Mayor Shoals noted that the Five Cities Fire Authority would be conducting a review of the terms governing the Authority's Joint Powers Agreement and had requested proposed changes be discussed by each of the three member agencies.

Action: Upon consensus of the City Council, direction was provided for staff to schedule Council discussion on a future agenda to review the Joint Powers Agreement for the Five Cities Fire Authority and proposed changes to the agreement.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson announced that he'd had an opportunity to tour the community in the late afternoon and evening hours during the July 4th Independence Day celebration, and he thanked Police Chief Peters for his assistance with that tour. He then provided a verbal update on major street paving work currently underway, as well as projects scheduled to commence in the coming days. Additionally, he responded to questions from the Council regarding work conducted by Southern California Gas on North Oak Park Boulevard that resulted in lane closures for several hours in the late afternoon and early evening hours of July 4th.

CITY ATTORNEY'S REPORTS AND COMMENTS

City Attorney Koczanowicz announced that Assistant City Attorney Hale would be attending the City Council meeting on August 1, 2016 as he had a trial scheduled to begin that day. He also announced that he was one of the scheduled presenters at the 2016 League of California Cities Conference.

CLOSED SESSION

At 9:29 p.m., the Council met in Closed Session regarding the following item:

- 1. **Public Employee Performance Evaluation**
Pursuant to Government Code Section 54957
Employee: City Manager

Closed Session Announcements: At 9:51 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present. It was announced that 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 9:52 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 09/19/2016)