

**MINUTES
CITY COUNCIL MEETING
MONDAY, APRIL 3, 2017**

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 Amanda Lujan, a 10-year-old, 4th grade student at Grover Heights Elementary School.

ROLL CALL

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

City Staff: City Manager Matthew Bronson, City Attorney David Hale, 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, Parks & Recreation Program Director Kathy Petker, and Associate Engineer Mamerto Estepa were also present.

Also present was Fire Chief Steve Lieberman, Five Cities Fire Authority.

CLOSED SESSION ANNOUNCEMENTS

City Attorney Hale read the following announcement - On Monday, March 20, 2017, the City Council met in Closed Session regarding:

1. Conference with Real Property Negotiators
Pursuant to Government Code Section 54956.8
Property: APN 060-206-029
Agency negotiator: City Manager Bronson
Negotiating party: Union Pacific Railroad
Under negotiation: Price and Terms and Conditions of Payment
re: Lease or Acquisition

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

AGENDA REVIEW

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

CEREMONIAL CALENDAR

1. **Proclamation Designating April 2017 as “Sexual Assault Awareness Month”.**

Mayor Pro Tem Shah read the proclamation and, together with the other members of the City Council, presented it to Client Services Director Matias Bernal for the organization RISE - Respect. Inspire. Support. Empower.

2. **Proclamation Designating April 4, 2017 as "National Service Recognition Day".**

Council Member Lee read the proclamation into the record. It was noted that no representative was present to receive the proclamation.

PRESENTATIONS

3. **Presentation on the Strategic Plan for the Five Cities Fire Authority.**

Referencing a PowerPoint presentation, Fire Chief Lieberman provided an overview of the five-year strategic plan to improve the organizational effectiveness and financial stability of the Five Cities Fire Authority. He then 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. Dave Ekbohm, Grover Beach resident, former Mayor, and member of the 5 Cities Men's Club, presented information on a proposed project by the 5 Cities Men's Club to construct and install a memorial bench on Nacimiento Avenue posthumously honoring Grover Beach resident David Fear. He requested the Council's support and the City's assistance with the project.

Also speaking in support of the memorial bench project were:

- Cory Smaw, relative of David Fear; and
- Rob Doty, Grover Beach resident.

- B. Patricia Price, Arroyo Grande resident, expressed concerns regarding management and operations of the South San Luis Obispo County Sanitation District.

There were no further public comments received at this time.

Action: Upon unanimous consensus of the City Council, direction was provided for the City Manager to work with Mr. Ekbohm on scheduling a future Council discussion on the 5 Cities Men's Club's proposal for a memorial bench.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Mayor Shoals noted that he'd received a citizen request to speak on Consent Agenda Item No. 7. He invited comments from those in the audience who wished to be heard on this Consent Agenda Item only.

Adam Pinterits, Director of Government and Community Relations, Ethno Botanica, spoke in support of the staff recommendation. Additionally, he requested the Council consider establishing a minimum distance between medicinal cannabis dispensary storefronts.

No further public comments were received at this time.

Mayor Shoals summarized the action being considered regarding Consent Agenda Item No. 7 and encouraged Mr. Pinterits to attend an upcoming Council meeting in May when the Council would be considering draft ordinances regulating commercial medical cannabis uses.

Council Member Lee requested and received clarification from staff on the draft Resolution.

In reference to Consent Agenda Item No. 8, Mayor Shoals inquired and received confirmation that staff would be seeking Council direction on which of the General Plan elements to initially focus on updating given the Council priority goal of updating the development review process.

It was moved by Council Member Nicolls and seconded by Mayor Pro Tem Shah to approve Consent Agenda Item Nos. 4, 5, 6, 7, 8, 9, and 10, as recommended. The motion carried on the following roll call vote:

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

4. Treasurer's Report for the Period March 10, 2017 through March 24, 2017.

Action: Approved the Treasurer's Report as submitted.

5. 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 March 10, 2017 through March 24, 2017.

Action: Approved the Treasurer's Report as submitted.

6. 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 March 10, 2017 through March 24, 2017.

Action: Approved the Treasurer's Report as submitted.

7. **Application for Live Scan Services for Commercial Medical Cannabis Business Applicants** – Authorizing the Chief of Police to complete an application for Live Scan services from the State of California’s Department of Justice Live Scan system to access state and federal criminal history information for employment, licensing, and certification purposes on prospective employees and owners of commercial medical cannabis businesses.
Action: Adopted Resolution No. 17-19.

Resolution No. 17-19: A Resolution of the City Council of the City of Grover Beach to Authorize the City to Access State and Federal Level Summary Criminal History Information for Employment, Licensing and Certification Purposes.
8. **2016 Annual Report on the Status of the General Plan** – Report on the status of the General Plan and progress made towards implementing its goals and policies.
Action: The report was received and filed and staff was authorized to submit the report to the State.
9. **Acceptance of Public Improvements on Huston Street** – Request to accept the offers of dedication on Huston Street, including water lines, sewer lines, and paving.
Action: Adopted Resolution No. 17-20 accepting public improvements on Huston Street.

Resolution No. 17-20: Resolution of the City Council of the City of Grover Beach, California, Accepting the Offers of Dedication for Portions of Huston Street.
10. **Minutes of the City Council Meeting on January 23, 2017.**
Action: Approved the minutes as submitted.

PUBLIC HEARING

None at this time.

REGULAR BUSINESS

11. **Approval of Project Design for the Golden West Improvement Project and Direction to Proceed with Project Construction Bidding.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Associate Engineer Estepa provided an overview of design options for completing improvements at Golden West Park. Staff then responded to questions from the Council.

Brief discussion was held regarding funding, proposed improvements, and project costs.

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

Dennis Brown, Grover Beach resident, requested information on plans for the existing water fountain and allowing property owner input regarding the design style of additional fencing.

Pam Obercamp, Grover Beach resident, commented on the replaced fencing on properties located adjacent to the park, spoke in support of placing fencing at the park, but noted that fencing wasn’t a necessity.

There were no further public comments received at this time.

Council Member Nicolls commented on a message that she’d received from Sharon Brown, Grover Beach resident, expressing appreciation to the Council for taking action on this item.

Further Council discussion was held on preferred park amenities, costs, partnering with a community group to construct park improvements, maintenance needs at other park facilities, and commencing construction after the July 4th holiday to accommodate area homeowner activities scheduled at Golden West Park.

Action: Upon unanimous consensus, the City Council authorized:

- expanding the scope of the project to include walkway improvements and landscaping, seating in the center area, curb ramp upgrades, and picnic tables;
- eliminating the design options for fencing, a pet-accessible drinking fountain, and park signage;
- scheduling a future discussion regarding park fencing;
- exploring alternatives to reduce project costs, such as partnering with community groups for specific park improvements; and
- for staff to proceed with project construction bidding.

12. **Ramona Garden Park Tree Removal.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Bronson briefly described the planned removal of a decades-old large Monterey cypress tree in Ramona Garden Park due to the poor health of the tree. 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.

Anita Shower, Grover Beach resident, objected to the proposal to remove the tree, offered to provide financial assistance to maintain it, and submitted information from an arborist outlining recommended actions if the City chose to retain the tree.

There were no further public comments received at this time.

Brief discussion was held on steps taken by the City to maintain the tree, which included redesigning a portion of the South County Transit Hub at Ramona Garden Park. Discussion was also held on maintaining an urban canopy, public safety, and deferring action on removal of the tree until the supplemental information received on the tree's condition could be reviewed along with recommendations from certified arborists. Additionally, it was noted that a separate discussion could be scheduled to discuss the notification process for tree removals and replacements.

Action: Upon unanimous consensus of the City Council:

- the informational report regarding the condition of the Monterey cypress tree at Ramona Garden Park was received;
- staff was authorized to analyze additional arborist information and report back to the Council regarding plans for removal of the tree; and
- staff was authorized to proceed expeditiously to ensure public health and safety.

13. **Special Event Ordinance Implementation Report and City Support for Stone Soup Festival.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Parks and Recreation Program Director Petker provided an update on the revised procedures for reviewing and processing applications to conduct special events requiring the use of public resources beyond the normal pattern of traffic and travel or general calls for service. She also reviewed the City's level of support to the Chamber of Commerce for the annual Stone Soup Festival. Staff then responded to questions from the Council.

Brief discussion was held regarding fees and the positive feedback received thus far from applicants and staff regarding the streamlined application and review process.

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

Judith Bean, Chief Executive Officer, Arroyo Grande & Grover Beach Chamber of Commerce, provided a brief overview of the Stone Soup Festival since its inception, described how the event, as well as attendance, had improved over the years, and spoke in support of the City's continued event sponsorship. She also confirmed that the Chamber would partner with the City to notify impacted residents of planned street closures. Additionally, she noted the Chamber would continue to have difficulty providing the City

complete sponsorship and vendor information, as the Chamber would still be in the process of collecting that information after the deadline. She then distributed copies of the new Chamber of Commerce Visitors Guides to members of the Council.

Chris Rivas, Station Grill restaurant and Chamber Board Member, spoke in support of the Stone Soup Festival and noted efforts to promote local businesses at the event.

There were no further public comments received at this time.

Further Council discussion was held on increasing local business participation at the Stone Soup Event, improving the public notification process, amending the deadline for providing the City with sponsorship information, and continuing the City's partnership relationship with the Chamber in support of this event. Additional discussion was held on evaluating whether to hold the Dune Run Run during the same weekend as the Stone Soup Festival.

Action: Upon unanimous consensus of the City Council, the following direction was provided:

- 1) For staff to:
 - reduce the 30-day deadline for providing the City with a list of known sponsors;
 - assist the Chamber when and where possible to improve public notification, signage, and advertising for the Stone Soup Festival; and
 - analyze whether to maintain the Dune Run Run 5K and 10K race as part of the Stone Soup Festival or as a separate stand-alone event;
- 2) Authorize the City's continued annual financial and in-kind support of the Stone Soup Festival in partnership with the Arroyo Grande & Grover Beach Chamber of Commerce; and
- 3) Schedule a future Council discussion on establishing criteria to assist in determining whether the City will partner with an event organizer on a proposed special event.

14. Setting a New Time for Regularly Scheduled City Council Meetings.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Bronson provided an overview of the proposal to revise the time for regularly scheduled City Council meetings to begin earlier in the evening at 6:00 p.m. Additionally, the Council could revise the time for concluding discussions on any remaining open session agenda items to a time earlier than 11:00 p.m.

Brief discussion was held on revising the established times for Council meetings.

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

Wayne Montgomery, Grover Beach resident, suggested the Council consider changing the meeting to be held on a day other than Mondays.

There were no further public comments received at this time.

Action: It was moved by Council Member Lee and seconded by Council Member Nicolls to correct a typographical error regarding the Resolution's adoption date and adopt Resolution No. 17-21, as amended, setting a new starting time for Regular City Council meetings to begin at 6:00 p.m., effective with the next regularly scheduled meeting on April 17, 2017. The motion carried on the following roll call vote:

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

Resolution No. 17-21: Resolution of the Council of the City of Grover Beach, California, Setting a Time Schedule for Meetings of the City Council and Rescinding Resolution No. 03-53.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Mayor Pro Tem Shah reported on meetings of the Air Pollution Control District, the Homeless Services Oversight Council, and Visit SLO CAL.

Council Member Peterson reported on the meeting of the San Luis Obispo County Water Resources Advisory Committee.

Council Member Nicolls reported on the meeting of the Community Action Partnership of San Luis Obispo County.

Council Member Lee stated that he had no committee reports at this time.

Mayor Shoals provided an update on the Regional Groundwater Sustainability Project and noted the upcoming meeting dates for his other committee assignments. He then provided an update on issues discussed at a recent Joint Authority meeting held in San Diego to continue progress on the Grover Beach Lodge Project.

COUNCIL COMMUNICATIONS

A. Council Member Lee announced that the 5Cities Homeless Coalition was in immediate need of a new office facility, as well as a site for a warming shelter. He then described a recent meeting he had attended in Ontario as a member of the League of California Cities Transportation, Communication and Public Works Policy Committee. He noted that while in Ontario he also took the opportunity to view the new fire engine being prepared for the Five Cities Fire Authority.

In reference to recent City press releases, Council Member Lee announced vacancies on the Parks, Recreation & Beautification Commission. Brief discussion was held on commission terms of office and whether to consider reducing the length of that term. Council Member Lee then announced that the permit application process to operate a fireworks stand in Grover Beach was scheduled to begin.

B. Mayor Pro Tem Shah noted that the Board of Supervisors was scheduled to discuss the formation of a Groundwater Sustainability Agency, which would financially impact Grover Beach residents. She inquired whether there was interest in commenting on the proposal.

Action: Upon unanimous consensus of the City Council, direction was provided for staff to schedule a discussion on the County's proposal for the formation and funding of a Groundwater Sustainability Agency.

C. Council Member Nicolls announced details of an upcoming HomeShare SLO informational event to be held at a local coffee shop.

D. Council Member Peterson commented on information that she was gathering regarding the potential impacts to existing businesses located in the industrial area once the City began issuing permits for commercial medical cannabis uses and noted that she would share the information with her Council colleagues once her research was completed.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson described transportation funding bills being considered by the State legislature and noted that the City had recently submitted letters in support of SB 1 (Beall) and AB 1 (Frazier). He then described landscape maintenance work being completed citywide in City medians.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 9:42 p.m., the Council met in Closed Session regarding the following items:

1. **Conference with Legal Counsel – Existing Litigation**
Pursuant to Government Code Section 54956.9(d)(1)
Lopez v. City of Grover Beach, et al CV 120210

2. **Conference with Legal Counsel – Existing Litigation**
Pursuant to Government Code Section 54956.9(d)(1)
Santa Maria Valley Water Conservation District v. City of Santa Maria, etc., et al,
and Related Cross-Actions: Santa Clara Superior Court Case No. CV 770214

Closed Session Announcements: At 10:02 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 10:03 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 08/07/2017)