

**MINUTES
CITY COUNCIL MEETING
MONDAY, JUNE 19, 2017**

CALL TO ORDER Mayor Shoals called the meeting to order at 6:02 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 Police Chief John Peters.

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, and Parks & Recreation Program Director Kathy Petker were also present.

Also present were Fire Chief Steve Lieberman, Five Cities Fire Authority, and Parks, Recreation & Beautification Commission Chair Walt French.

CLOSED SESSION ANNOUNCEMENTS

None at this time.

AGENDA REVIEW

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

CEREMONIAL CALENDAR

1. Certificates of Appreciation for the 2017 Spring Garden Tour Participants.

Parks & Recreation Program Director Petker described the Spring Garden Tour event and displayed photos featuring some of the gardens. She thanked all of the participants and volunteers for the event's success and, along with the City Council and Parks, Recreation & Beautification Commission Chair Walt French, presented Certificates of Appreciation to the following 2017 Spring Garden Tour participants:

- Dale & Kelly Stephen, 687 North 12th Street, Grover Beach;
- Maria Dowdy, 925 South 16th Street, Grover Beach;
- Denni Nulman, 1220 San Sorrento Court, Grover Beach;
- Judith Hasting, 12589 Bodega Court, Grover Beach; and
- Walt and Lisa French, 1042 Atlantic City Avenue, Grover Beach.

The names of the following Spring Garden Tour participants were announced, but were not present to receive a certificate:

- Bob Toth, 779 Naples Street, Grover Beach;
- Donna Schroeder, 421 South 9th Street, Grover Beach;
- Theresa Drew, 483 N. 11th Street, Grover Beach; and
- Michael and Lynn Passarelli, 687 North 12th Street, Grover Beach.

PRESENTATIONS

2. Grover Beach Police Department Annual Report.

Police Chief Peters provided an overview of the Police Department's Annual Report for calendar year 2016. He described department staffing, calls for service, and crime statistics, and presented information on traffic safety efforts, and enhanced foot and bicycle patrol programs. Additionally, he noted community outreach the department conducted at schools, businesses, and community centers, as well as through the use of social media. In conclusion, he described areas of focus to enhance the delivery of public safety services

and build upon existing community partnerships. He then responded to questions from the Council and announced the department was accepting applications for citizen volunteers.

Action: Upon consensus of the Council, the report was received and filed.

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. Candace Human, Grover Beach, described recent issues regarding her water utility bill, and objected to the fines being imposed as well as the process for appealing the fines.
- B. Roscoe Doss, Grover Beach resident, requested the Council consider allowing cannabis businesses to locate in the industrial areas, but not within close proximity of residential areas or schools.
- C. Paulette Messenheimer, Grover Beach resident, expressed concern regarding sufficient public parking and access to the beach once the Lodge and Conference Center was constructed.

There were no further public comments received at this time. Upon consensus, the Council requested the City Manager to contact Ms. Human directly to discuss her water utility bill dispute.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Mayor Shoals announced that Item No. 7 was being pulled in response to requests received from members of the public to speak on that item. It was then moved by Council Member Peterson and seconded by Council Member Nicolls to approve Consent Agenda Item Nos. 3, 4, 5, and 6, 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.

3. Treasurer's Report for the Period May 30 - June 12, 2017.

Action: Approved the Treasurer's Report as submitted.

4. 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 May 30 - June 12, 2017.

Action: Approved the Treasurer's Report as submitted.

5. Minutes of the City Council Meeting on March 6, 2017.

Action: Approved the minutes as submitted.

6. Award of Contract for Golden West Park Improvements (CIP 1001) - Consideration of bids received for the replacement of concrete, landscaping, and installation of park amenities at Golden West Park, located north of The Pike and between Jennifer Court and Shanna Place.

Action: Adopted Resolution No. 17-32 awarding the Contract for construction of CIP 1001 to F. Loduca Company in the amount of \$95,037.25; authorized the City Manager to sign and affirm construction change orders up to an aggregate of \$14,255.59; and authorized the Mayor to execute the contract on behalf of the City.

Resolution No. 17-32: Resolution of the City Council of the City of Grover Beach, California, Awarding the CIP 1001 Golden West Park Improvements Construction Contract.

Prior to discussion of Pulled Consent Agenda Item No. 7, Council Member Peterson declared a conflict of interest due to both her residence and business being located within 500 feet of the subject property. She then stepped down from the dais and left the Council Chambers.

PULLED CONSENT AGENDA ITEM

7. Commercial Medical Cannabis Businesses Fire Life Safety Requirements.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Referencing a PowerPoint presentation, Fire Chief Lieberman provided an overview of the proposed requirements that were in addition to existing building, fire, and health safety codes. He noted that the requirements were intended to mitigate potential impacts to the community, employees, business owners, and first responders related to commercial medical cannabis businesses. 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.

The following persons spoke in support of the proposed regulations:

- Richard Gaither, Grover Beach resident; and
- Todd Mitchell, Grover Beach resident.

There were no further public comments received at this time.

Action: It was moved by Council Member Lee and seconded by Mayor Pro Tem Shah to adopt Resolution No. 17-33 establishing fire and life safety requirements for commercial medical cannabis businesses. The motion carried on the following roll call vote:

AYES: Council Members Lee, Nicolls, Mayor Pro Tem Shah, and Mayor Shoals.
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.
RECUSED: Council Member Peterson (due to a conflict of interest).

Resolution No. 17-33: A Resolution of the City Council of the City of Grover Beach, California, Establishing Fire and Life Safety Requirements for Commercial Medical Cannabis Businesses.

At this time, Council Member Peterson returned to the dais.

THE GROVER BEACH CITY COUNCIL AND THE GROVER BEACH CITY COUNCIL IN ITS CAPACITY AS THE SUCCESSOR HOUSING AGENCY TO THE DISSOLVED GROVER BEACH IMPROVEMENT AGENCY (For the following Public Hearing item only).

PUBLIC HEARING

8. Adoption of the 2017-18 Budget.

(Continued Public Hearing from the City Council meeting of June 5, 2017.)

Mayor Shoals read the title to the foregoing item, declared the continued Public Hearing open, and deferred to staff for a report. City Manager Bronson described the overall approach in developing the new budget, summarized anticipated revenues and expenditures, outlined proposed changes, and noted increases in targeted service areas to address key needs. He then elaborated on items the Council raised at the June 5th meeting regarding Council compensation, video recording of Council meetings, funding allocations for non-profit organizations, a proposed community survey, revised costs for development of a Police Department strategic plan, updating elements of the General Plan, and researching potential changes regarding Business Tax Certificates and increasing the transient occupancy tax. Additionally, he described a proposed budget change pursuant to Council policy direction to proceed with repairing the parking lot in the downtown area at Ramona Square and seek commitment from affected property owners for payment of their respective proportionate share of the parking lot for repairs, maintenance, and future

renovation beyond the area owned by the City. Once financial commitment was secured, staff would report back to the Council prior to moving forward with designing and repairing the parking lot. He then responded to questions from the Council regarding the proposed budget.

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

Darryl Scheck, SEIU Representative, Local 620, spoke in support of the proposed Administrative Assistant job classification series, but requested the Council delay taking action and have staff conduct further research on the proposed salary ranges for this job class.

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

Discussion ensued on staff conducting further research to compare compensation for clerical job classifications, scheduling Council consideration of the proposed salary ranges for the Administrative Assistant job classification series at a future meeting, and proceeding with the remainder of the proposed budget as presented. With regard to amending the level of Council compensation, the Council also expressed interest in scheduling a discussion on the costs for providing elected officials with mobile technology devices as well as insurance benefits.

Action: It was moved by Council Member Nicolls and seconded by Mayor Pro Tem Shah to:

- 1) Amend the draft Resolution appropriating funds for the 2017-18 budget as follows:
 - correct a typographical error under Fund 43 - State mandated ADA Fund, to state "Total Subsidized Senior ~~Transp~~ADA Fund" (deleted text indicated with ~~strikeout~~ font, added text indicated with double underline font), and
 - delete the paragraph for the job classification and salary range of Administrative Assistant I, II, and III and schedule Council consideration of a proposed salary range at a future meeting;
- 2) Adopt Resolution No. 17-35 to set the 2017-18 Appropriations Limit from Tax Proceeds;
- 3) Adopt Resolution No. SA-17-02 to appropriate funds from the Successor Housing Agency; and
- 4) Approve job specifications for the new positions created in the 2017-18 budget for the job classifications of Senior Planner, Information Technology Specialist, Code Compliance Officer, and Administrative Assistant I, II, and III.

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. 17-34: A Resolution of the City Council of the City of Grover Beach, California Appropriating the FY 2017-18 Budget.

Resolution No. 17-35: A Resolution of the City Council of the City of Grover Beach, California, Setting the FY 2017-18 Appropriations Limit from Tax Proceeds.

Resolution No. SA-17-02: A Resolution of the City Council of the City of Grover Beach, California, Sitting as the Successor Housing Agency, Appropriating \$15,000 for Social Service Groups.

Recess: Upon consensus of the City Council, the meeting recessed at 8:39 p.m.
Reconvene: At 8:49 p.m., the meeting reconvened with all Council Members present.

REGULAR BUSINESS

9. Water Supply Update and Regional Groundwater Sustainability Project (RGSP) Engineering Support Agreement.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Public Works Director/City Engineer Ray provided an update on the City's water supply, reviewed the effects of water conservation measures implemented since the Council declared a Stage 3 mandatory water use reduction, and described options the Council could consider for eliminating some of the requirements for water use and penalties imposed for non-compliance. He then provided an update on the Regional Groundwater Sustainability Project to recharge the groundwater basin, improve water supply reliability, and help prevent seawater intrusion. He described the cost-sharing agreement between the City of Pismo Beach and the Cities of Grover Beach and Arroyo Grande that had been prepared to fund preliminary engineering work related to Phase 2 of an environmental impact report for the groundwater project, and noted it would include the wastewater flows associated with the regional phase of the project. Staff then responded to questions from the Council.

Discussion ensued regarding agencies participating in cost sharing for the regional groundwater project. Additional discussion was held on water conservation measures implemented by the City, and maintaining the same mandatory water use Stage of Action, but modifying the penalties imposed for non-compliance.

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.

Action: It was moved by Council Member Lee and seconded by Council Member Nicolls to:

- 1) Continue the Stage 3 water conservation Stage of Action, but modifying the penalties imposed for non-compliance with an initial 50% penalty, followed by a 100% penalty for continued non-compliance, rather than the previous penalty structure of 100%, 200%, and 300%; and
- 2) Approve the Recycled Groundwater Sustainability Project Engineering Support Agreement, and authorize the City Manager to sign the agreement on behalf of the City.

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.

COUNCIL COMMITTEE REPORTS

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

Council Member Nicolls reported on the meeting of the Community Action Partnership of SLO County.

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

Mayor Pro Tem Shah commented on her recent tour of the Oceano Dunes State Vehicular Recreation Area.

Mayor Shoals reported on meetings of the Five Cities Fire Authority, San Luis Obispo Council of Governments, and the South San Luis Obispo County Sanitation District.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson provided a verbal update on street rehabilitation work underway, coordination efforts with Southern California Gas in conjunction with utility line upgrades, and plans to install additional signage informing the public of Measure K-14 funded projects.

COUNCIL COMMUNICATIONS

- A. Council Member Nicolls noted that AT&T was sponsoring a program for teens to create a public service announcement on the dangers of distracted driving.
- B. Mayor Pro Tem Shah announced programs being offered by the Grover Beach Community Library.
- C. Council Member Lee announced details of an event for the 5Cities Homeless Coalition's new office location. Additionally, he urged residents to exercise caution during the upcoming Independence Day celebration with regards to the use of fireworks. He then noted the City's commercial cannabis regulations may need further review relative to the State's regulations regarding dispensaries.
- D. Council Member Peterson inquired and received information from staff regarding vendors at the Sizzlin' Summer Concert Series and the City's regulations on the time frame permitted to discharge fireworks. Additionally, she noted receiving comments from citizens requesting flexibility with regards to the City's leash laws at public parks.

Brief discussion was held regarding whether to refer the matter of leash laws at public parks to the Parks, Recreation & Beautification Commission for input prior to scheduling it for Council consideration.

Action: Upon consensus, the Council provided direction to schedule the matter of the City regulations regarding leash laws at public parks for Council consideration and direction.

- E. Mayor Shoals noted that he'd received positive comments regarding the professional manner in which City Council meetings were being conducted. He complimented his Council colleagues for upholding a high standard for conducting the City's business.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 9:47 p.m., the Council met in Closed Session regarding the following item:

- 1. Conference with Legal Counsel - Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of
Section 54956.9: Two (2) potential cases

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

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 10/16/2017)