

**MINUTES
CITY COUNCIL MEETING
MONDAY, AUGUST 7, 2017**

CALL TO ORDER Mayor Shoals called the meeting to order at 6:00 p.m. in the City Hall Council Chamber, 154 South Eighth Street, Grover Beach, California.

MOMENT OF SILENCE A moment of silence was held in memory of Arroyo Grande resident and former Grover Beach business owner Katherine Evans, who for many years contributed towards the betterment of the Grover Beach community. Katherine and her husband, Travis, were selected to preside as Grand Marshals over the 2015 South County Holiday Parade.

FLAG SALUTE The flag salute was led by Mayor Pro Tem Shah.

ROLL CALL

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

Council Member Peterson announced that she was recently involved in a vehicle accident. She described the extent of her injuries and noted that, pursuant to recommendations from her doctor, she would be taking time off. She thanked everyone for their understanding and expressed hope that she would be returning soon. She then stepped down from the dais and left the Council Chamber.

City Staff: City Manager Matthew Bronson, City Attorney David Hale, City Clerk Donna McMahan, Police Commander Tim Miller, Administrative Services Director Gayla Chapman, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Greg Ray, Parks & Recreation Program Director Kathy Petker, and CIP Project Manager Erin Wiggin were also present.

Also present was Parks, Recreation & Beautification Commission Chair Walt French.

CLOSED SESSION ANNOUNCEMENTS

None at this time.

AGENDA REVIEW

Action: Upon consensus (Council Member Peterson absent), the Council adopted the agenda as presented.

CEREMONIAL CALENDAR

None at this time.

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. Bob Lloyd, AGP Video representative, described recent equipment upgrades to allow City Council meetings to be viewed on mobile telephones and tablet devices.
- B. Patty Welsh, Arroyo Grande resident, described events at a recent South San Luis Obispo County Sanitation District meeting and encouraged the public to attend District meetings.
- C. Paul Press, Grover Beach resident, described a recent incident involving the Grover Beach Police Department and efforts to dispute a parking citation for the period of time his recreational vehicle was parked on the street.

Upon request from the Mayor, City Manager Bronson affirmed that he would follow-up directly with Mr. Press regarding the matter described.

- D. Jeff Brubaker, Transportation Planner, San Luis Obispo Council of Governments, described planned activities to engage the public in the development of a long-range transportation plan called the 2019 Regional Transportation Plan (RTP) and the accompanying Sustainable Communities Strategy (SCS).

CONSENT AGENDA

Upon request, staff responded to Council questions or provided clarification regarding Consent Agenda Item Nos. 2 and 4. It was moved by Council Member Nicolls and seconded by Council Member Lee to approve Consent Agenda Item Nos. 1, 2, 3, and 4, as recommended. 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 Member Peterson.
ABSTAIN: Council Members - None.

1. **Treasurer's Report for the Period July 11, 2017 – August 1, 2017.**
Action: Approved the Treasurer's Report as submitted.
2. **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 July 11, 2017 – August 1, 2017.**
Action: Approved the Treasurer's Report as submitted.
3. **Minutes of the Regular City Council Meetings on April 3, 2017 and April 17, 2017.**
Action: Approved the minutes as submitted.
4. **Award of Contract – South 4th Street Pavement Repair Project (CIP 2283) –**
Consideration of bids received for pavement repair on South 4th Street between Farroll Road and Seabright Avenue.
Action: Adopted Resolution No 17-39 awarding the contract for construction of the South 4th Street Pavement Repair Project (CIP 2283) to Souza Construction, Inc., the lowest responsive and responsible bidder, in the amount of \$170,900; authorized the City Manager to sign and affirm construction change orders up to an aggregate of \$17,100; and authorized the Mayor to execute the contract on behalf of the City.

Resolution No. 17-39: Resolution of the City Council of the City of Grover Beach, California, Awarding the South 4th Street Pavement Repair (CIP 2283) Construction Contract.

PUBLIC HEARING

None at this time.

REGULAR BUSINESS

5. Ramona Garden Park - Tree Replacement and Park Improvements.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. CIP Project Manager Erin Wiggan described the removal of a large Monterey Cypress tree that was located at Ramona Garden Park due to the poor health of the tree and public safety concerns. She described input received from the Parks, Recreation and Beautification Commission regarding replacement of the tree, as well as public input received through informal surveys conducted at the Summer Concert Series. She then presented options for replacement of the tree. In conclusion, she described additional park and facility improvements planned for Ramona Garden Park and the Ramona Garden Park Center.

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

The following persons spoke and either provided input on a preferred tree species, offered to provide private tree donations, and/or requested and received from staff information regarding tree maintenance needs:

- Walt French, Chair, Parks, Recreation & Beautification Commission, who also commended staff for the extensive research conducted on this matter;
- Darrell Cameron, Grover Beach resident;
- Paulette Messenheimer, Grover Beach resident; and
- Sharon Brown, Grover Beach resident.

There were no further public comments received at this time.

Council discussion was held regarding potential locations for donated trees, establishing a formal donation policy, selecting a specific tree species and a preferred size, and whether to install a bench near the site of the replaced tree.

Action: Upon consensus of the City Council (Council Member Peterson absent), the following direction was provided:

Regarding the tree replacement:

- 1) plant the larger 96" box size Southern Magnolia tree species;
- 2) accept the offers of \$10,000 in private donations from Anita Shower and Clifford Clark toward the cost of tree replacement, tree care, and shipping;
- 3) conduct a more comprehensive analysis of the trees at Ramona Garden Park and analyze whether it would be feasible to underground existing utility lines in order to plant additional trees along the western edge of the park; and
- 4) defer the installation of a park bench at this time.

Regarding additional park and facility improvements at Ramona Garden Park:
(Listed in priority order)

- 1) address needed interior and exterior building facility enhancements at the Ramona Garden Park Center;
- 2) upgrade the building facility's audio visual components;
- 3) upgrade the park restrooms; and
- 4) install playground equipment.

6. Street Repair Update.

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 status of the multi-year Local Street Rehabilitation project funded by Measure K-14 bond funds. With completion of the first three projects, approximately 20 percent of all local city streets have been repaired. Additionally, in May 2017, the City Council awarded the contract for the next project which comprised 53 blocks and was to date the largest single street improvement project in the City's history. He noted that this next project would be completed in phases, beginning with water, sewer and dry utility upgrades, followed by concrete improvements involving sidewalks, curbs, and gutters, before progressing to street paving. Additionally, the Gas Company had begun gas line upgrades in some areas and utility upgrades would begin on other streets later in the month. He then described public information being distributed through weekly street construction updates posted on the City website and social media platforms.

Public Works Director/City Engineer Ray continued his presentation with describing street improvements on Oak Park Boulevard and South 4th Street that were funded through other sources; outlined streets to be completed with the next bond issue; described proposed improvements on Long Branch Avenue; reviewed public outreach conducted regarding improvements on Newport Avenue; and described how issuing another bond in the fall could assist with funding design work on the next set of street repairs. In conclusion, he presented proposed traffic safety improvements for the intersection at Farroll Road and South 16th Street. 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. There were no public comments received at this time.

Council discussion was held on options for accelerating and ensuring a more continuous pace on street repair projects, fiscal impacts to property owners with another bond issue, potential amounts for the next bond issue, and costs for project management consultant services.

Action: Upon consensus of the City Council (Council Member Peterson absent), the Council provided direction for staff to:

- 1) temporarily allocate unspent Measure K-14 funds towards the design of the next phase of street repairs and replenish these funds from the next bond issuance;

- 2) break the design work into smaller projects to accelerate the pace of street projects and provide for more continuous street improvements;
- 3) for the next bond issue to initially focus improvements on streets located in the area north of West Grand Avenue and west of North 4th Street;
- 4) provide the Council with information regarding:
 - a) potential tax impacts for the next bond issuance at the \$10 - \$15 million range; and
 - b) how Measure K-14 funds have been spent and what projects have been completed;
- 5) *Long Branch Avenue* - conduct further community outreach on the proposed plan for diagonal parking on Long Branch Avenue between South 16th Street and Oak Park Boulevard and the elimination of parking on Oak Park Boulevard immediately south of Long Branch Avenue; and
- 6) *Farroll Road and South 16th Street Intersection* - proceed with restriping Farroll Road to improve the corner site distance, move the travel lane to the south, and eliminate on-street parking on the south side of Farroll Road.

Recess: Upon consensus, the meeting recessed at 8:10 p.m.

Reconvene: At 8:17 p.m., the meeting reconvened with all Council Members present, except for Council Member Peterson who had announced her absence earlier in the meeting.

7. Code Compliance Program Policies and Practices.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Community Development Director Buckingham and Public Works Director/City Engineer Ray provided an overview of the City's historical Code Compliance Program, described proposed duties for a full-time Code Compliance Officer, and outlined recommended policies and practices to ensure a successful program. Staff responded to questions from the Council.

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

Sharon Brown, Grover Beach resident, requested and received information from staff on weed abatement for the drainage basin located on The Pike.

There were no further public comments received at this time.

Council discussion continued on the proposed program, the process for appealing a code compliance enforcement matter, code enforcement issues involving encroachments, signs, and temporary storage units; and conducting public outreach once the program was implemented.

Action: Upon consensus of the Council (Council Member Peterson absent), direction was provided for staff to proceed with development of a Code Compliance Program and the related policies and practices; for the program to be operated within the Community Development Department; and to schedule an update to the Council after the program was implemented.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

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

Council Member Nicolls reported on meetings of the Arroyo Grande & Grover Beach Chamber of Commerce and South County Transit.

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

Mayor Shoals reported on meetings of the San Luis Obispo Council of Governments and South San Luis Obispo County Sanitation District.

Council Member Peterson was absent from this Council meeting.

COUNCIL COMMUNICATIONS

- A. Council Member Lee announced details of the upcoming Stone Soup Music Festival and Street Faire, as well as the Dune Run Run event.
- B. Mayor Pro Tem Shah noted the three-week winter break for the Lucia Mar Unified School District and suggested the Council consider rescheduling the meeting dates in January to the second and fourth Mondays of the month.
- C. Mayor Shoals announced the formation of the Grover Beach Community Foundation, described the Foundation's purpose, and provided details on the Foundation's upcoming golf tournament fundraiser. Additionally, he noted that Mayors in San Luis Obispo County had recently participated in a commercial to promote the upcoming Hunger Walk event sponsored by the Food Bank Coalition of San Luis Obispo County.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson provided an update regarding the following items:

- *South County Homeless Task Force*: discussion was held regarding the upcoming Mobile Assistance Serving Homeless (MASH) event and a Warming Shelter;
- *Commercial Medical Cannabis Dispensaries*: pre-applications were being reviewed in preparation for consideration by the City Council on September 7, 2017.
- *International City Hall Selfie Day*: the Council, City staff, and members of the public were welcome to participate on Tuesday, August 15, 2017 at 10 a.m. and 3:30 p.m.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 9:27 p.m., the Council met in Closed Session regarding the following items:

1. **Conference with Legal Counsel - Anticipated Litigation**
Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation Pursuant to Government Code Section 54956.9(d)(4): One (1) potential code enforcement case
2. **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

Closed Session Announcements: At 10:15 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 10:16 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 11/06/2017)