

**MINUTES
CITY COUNCIL MEETING
MONDAY, MAY 21, 2018**

CALL TO ORDER Mayor Shoals called the meeting to order at 6:00 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 Lilly Ramirez, an 11-year-old, 5th grade student at Grover Heights Elementary School.

ROLL CALL

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

City Staff: City Manager Matthew Bronson, City Attorney David Hale, City Clerk Donna McMahon, Police Chief John Peters, Administrative Services Director Gayla Chapman, Public Works Director/City Engineer Greg Ray, Parks and Recreation Program Director Kathy Petker, and Capital Improvement Program Project Manager Erin Wiggin were also present.

CLOSED SESSION ANNOUNCEMENTS

None at this time.

AGENDA REVIEW

Action: Upon consensus of those present, the Council adopted the agenda as published.

CEREMONIAL CALENDAR

1. Proclamation Declaring June 1, 2018 as “Hunger Awareness Day”.

Mayor Pro Tem Lee read the proclamation and together with members of the Council presented it to representatives of the Food Bank Coalition of San Luis Obispo County - Kevin Drabinski, CEO, and Susan Olsen, Director of Development.

2. Proclamation Declaring May 20 - 26, 2018 as “National Public Works Week”.

Council Member Shah read the proclamation and together with members of the Council presented it to Public Works Director/City Engineer Greg Ray, Public Works Supervisor Cesar Zarate, and Maintenance Worker III Pete Yracheta.

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. Pam Wendel, Grover Beach resident, spoke in support of public art and installing mosaic tile benches at the Grover Beach Train Station Expansion Project. She then distributed information regarding local mosaic tile artists.
- B. John Wysong, Grover Beach resident, objected to heavy trucks traveling on newly paved residential streets, criticized the management of street repair projects, and commented on the lack of street sweeping services on his street. He also expressed concerns regarding sufficient water supplies.
- C. Billy Mitchell, Grover Beach resident, thanked the Council for allowing commercial medical marijuana dispensaries to locate within the city and praised the recent opening of one of the commercial medical cannabis dispensaries.

No further public comments were received at this time.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item No. 9 was pulled pursuant to the requests of Mayor Shoals and Mayor Pro Tem Lee.

Action: It was moved by Council Member Shah and seconded by Council Member Nicolls to approve Consent Agenda Item Nos. 3, 4, 5, 6, 7, 8, and 10 as recommended. The motion carried on the following roll call vote:

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

3. **Treasurer's Report for the Period May 1, 2018 - May 11, 2018.**
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 1, 2018 - May 11, 2018.**
Action: Approved the Treasurer's Report as submitted.
5. **Treasurer's Report for the 2017 Streets Bond Account - \$15,000,000 (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period May 1, 2018 - May 11, 2018.**
Action: Approved the Treasurer's Report as submitted.
6. **Minutes of the City Council Meeting on March 19, 2018.**
Action: Approved the minutes as submitted.
7. **Second Reading and Adoption of Ordinance Nos. 18-04 and 18-05 to Amend Articles IX and III of the Grover Beach Municipal Code and Approve a Local Coastal Program Amendment on Commercial Cannabis Uses** – Amending the Grover Beach Municipal Code and a Local Coastal Program Amendment to allow adult-use cannabis uses, authorize the Planning Commission to be the Review Authority for non-retailer commercial cannabis uses, and allow the issuance of local permits that allow State License Type 7 Level Two manufacturing (with volatile solvents), and the establishment of additional regulations related to personal cultivation.
Action: 1) Conducted second reading, by title only, and adopted Ordinance No. 18-04 amending Article IX of the Grover Beach Municipal Code to allow adult use and change the Review Authority; 2) conducted second reading, by title only, and adopted Ordinance No. 18-05 amending Article III of the Grover Beach Municipal Code to revise definitions, expand the use of Manufacturing Level Two volatile compounds, and revise personal cultivation standards; and 3) adopted Resolution No. 18-41 approving a Local Coastal Program Amendment.

Ordinance No. 18-04: An Ordinance of the City Council of the City of Grover Beach Amending Article IX Sections 4.10.045, 6.10.020 and 9.10.020 to Allow Adult Use of Cannabis and Modify the Review Authority.

Ordinance No. 18-05: An Ordinance of the City Council of the City of Grover Beach Amending Chapter 18, Article III of the Grover Beach Municipal Code Amending Subsection (A) of Section 4000.10, Section 4000.20, Section 4000.30, Subsection (A) and (C) of Section 4000.40, Subsection (A) of Section 4000.50, Subdivision (9) of Subsection (A) of Section 4000.160, Subsection (G) and (H) of 4000.200, Subsection (F) of Section 4000.220, Subsection (B) of Section 4000.230, and Section 4000.240 to Revise Definitions, Allow Adult Use Cannabis Businesses, Allow Level Two Manufacturing, Establish Greater Regulations on Personal Cultivation, Allow Medical Cannabis Businesses to Sell to 18 Years of Age and Older Individuals and Make Revisions Consistent with Recent State Law Changes.

Resolution No. 18-41: A Resolution of the City Council of the City of Grover Beach Authorizing and Directing the Community Development Director to Submit the Local Coastal Implementation Amendment Associated with Ordinance No. 18-04 to the California Coastal Commission for Final Certification.

8. **Update of Master Fee Schedule for Commercial Cannabis Background Investigations**
- Amending the fee for background investigations conducted by the Police Department related to commercial cannabis permit applications.

Action: Adopted Resolution No. 18-42 amending the Master Fee Schedule and reducing the costs for commercial cannabis background investigations for an owner and employee of such businesses.

Resolution No. 18-42: A Resolution of the City Council of the City of Grover Beach, California, Amending the Master Fee Schedule to Decrease Cannabis Background Fees.

10. **City Positions on Statewide Ballot Initiatives** – Consideration of taking a position on State ballot initiatives that impact local government:

for the June 2018 ballot - *support* Proposition 68 (\$4 billion parks and water bond), Proposition 69 (constitutional protection for SB 1 transportation funding), and Proposition 72 (exclusion of rain-water capture systems from property tax assessment);

for the November 2018 ballot - *oppose* a two-thirds vote threshold for all tax measures; *oppose* a repeal of Senate Bill 1 (SB1) for transportation funding; and *support* a \$4 billion housing bond to support affordable housing and infill development projects.

Action: Adopted Resolution No. 18-43 to establish City positions on upcoming June 2018 statewide ballot initiatives and prospective November 2018 statewide ballot initiatives.

Resolution No. 18-43: A Resolution of the City Council of the City of Grover Beach, California, Taking City Positions on Upcoming Statewide Ballot Initiatives on the June 2018 Primary Election and Prospective State Ballot Initiatives on the November 2018 General Election.

PUBLIC HEARING

None at this time.

REGULAR BUSINESS

11. **Update on Street Rehabilitation Projects.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Public Works Director/City Engineer Ray provided an overview of progress achieved on the maintenance and repair of nearly 130 city blocks or approximately 30% of local residential streets and upcoming street projects. He also presented options to provide improvements on a segment of Newport Avenue east of Oak Park Boulevard due to the shallow water main and responded to questions from the Council.

Discussion was held on the proposed construction options, cost estimates, and construction time frames.

Action: Upon consensus of the Council, Option B was selected for full pavement rehabilitation except for a 4-foot wide asphalt overlay at the shallow pipe (no lowering utilities) for the segment of Newport Avenue located east of Oak Park Boulevard.

Council Member Shah stated that her residence was located on Newport Avenue. However, after consulting with the City Attorney, he opined that she was not required to recuse herself from this discussion as street rehabilitations of residential streets was of such a broad citywide nature that the material effect on her financial interests was indistinguishable from the public generally.

Public Works Director City Engineer continued the staff presentation regarding design options for Newport Avenue, outlined the results from public outreach meetings with affected residents, and 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 spoke in support of narrowing Newport Avenue, but didn't identify a specific design option preference:

- Joel Craighead, North 12th Street resident; and
- Diane Schlageter, Newport Avenue resident.

The following spoke in support of Option 1 - narrow street with parkway on one side:

- James Bevan, Newport Avenue resident.

The following spoke in support of Option 2 - paving the street to its existing width:

- Nathan Spooner, North 6th Street resident, Grover Beach,
- Rex and Geri Lanier, Newport Avenue residents, and also noted vehicle speed concerns;
- Lisa Kawamura, Newport Avenue resident;
- Sandy Darling, Newport Avenue resident; and
- Michael Cody, Newport Avenue resident.

The following spoke in support of either Option 1 or Option 2:

- John Butler, Newport Avenue resident.

The following spoke in support of Option 3 - reducing the paved width by constructing or striping a center median:

- Brian Hale, Newport Avenue resident.

The following expressed concerns regarding traffic speeds on Newport Avenue:

- Marianne Buckmeyer, Newport Avenue resident, and inquired whether the City would purchase excess right-of-way from property owners; and
- Cindy Tomkinson, Newport Avenue resident.

No further public comments were received at this time.

Discussion ensued regarding the design options for Newport Avenue improvements, accessibility requirements, legal considerations for installing stop signs, abandoning right-of-way, construction costs and funding sources, limited City funds to reduce the sloped grade change at Newport Avenue and North 4th Street, varying frontage improvements along the full length of Newport Avenue, pedestrian paths, parkways, and bike lanes.

Action: Upon consensus of the Council (Council Member Peterson absent), direction was provided for staff to proceed with design Option 1 - a narrowed residential street with parkway on one side (driveways, mulch, AC dike). Additional direction was provided for a design that included a consistent street width where possible, a consistent street edge, consistent travel lanes, and the development of parkways, bike lanes, and a pedestrian-friendly amenity. The Council also requested that staff bring the design concepts for Newport Avenue improvements back to the Council for review and further input.

Recess: Upon consensus of the Council, the meeting recessed at 7:57 p.m.

Reconvene: At 8:08 p.m., the meeting reconvened with all Council Members present, except for Council Member Peterson who was absent from this meeting.

Capital Improvement Program Project Manager Erin Wiggin continued the staff presentation by providing an overview on the selection of streets for the next street rehabilitation project in the upcoming fiscal year. She also noted that the option in Table 4 on page 5 of the staff report for Rockaway Avenue (from South 11th to South 4th Street) and South 10th Street (from Rockaway Avenue to Ramona Avenue) was being removed from consideration due to required water system improvements. 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. No public comments were received at this time.

Discussion was held on cost estimates, construction time frames and the amount of staff time required during the design phase of the projects, anticipated Community Development Block Grant funding to complete further waterline improvements, and identifying 8-10 blocks of streets in the one- to two-million dollar range in order to reduce the time between the selection of streets and their completion over the next two-year period.

Action: Upon consensus of the City Council (Council Member Peterson absent), the Council confirmed streets for the next series of Measure K-14 street repair projects in the following prioritized order:

Project Grouping (numbered for Council discussion purposes only) / Street Segment

- 2018- A) *Parkview Avenue – North 4th Street to Front Street*
Beckett Avenue – Newport Avenue to Ramona Avenue
1st Street – Oceanview Avenue to Atlantic City Avenue
North 2nd Street – Brighton Avenue to Newport Avenue
Atlantic City Avenue - 8th Street to Front
- 2018- D) *South 16th Street – West Grand Avenue to Farroll Road*
- 2018- E) Street segments located west of Grover Beach Elementary School:
Manhattan Avenue, Seabright Avenue, Rockaway Avenue and a portion of
South 11th Street (near the Miner’s Hardware Store)
- 2018- B) *North 14th Street – West Grand Avenue to Atlantic City Avenue*
South 14th Street – Mentone Avenue to Farroll Road
- 2018- C) *North 8th Street – West Grand Avenue to Atlantic City Avenue*
Ramona Avenue – 14th Street to 16th Street
North 10th Street - West Grand Avenue to Ramona Avenue

It was also noted that street rehabilitation projects going forward would be identified with the “CIP 2295” followed by the sequential order of the project rather than a specific calendar year.

Discussion was then held on maintenance for major streets, which were not eligible for funding with Measure K-14 bond funds, and funding. Additional discussion was held on seeking additional funding opportunities through the San Luis Obispo Council of Governments to provide maintenance on South 4th Street.

Action: Upon consensus of the City Council,(Council Member Peterson absent), the Council reaffirmed major streets for repair in the following order of importance: South Oak Park Boulevard, West Grand Avenue (Oak Park Boulevard to 16th Street), North 4th Street, El Camino Real, Farroll Road, and The Pike.

PULLED CONSENT AGENDA ITEMS

- 9. **Award of Contract for Water and Sewer Master Plans** – Consideration of awarding a contract for professional services to prepare the City’s Water and Sewer Master Plans.

Upon question, Public Works Director/City Engineer Ray described how the Master Plan documents would be utilized to assist in identifying improvements needed on the existing water and sewer infrastructure system, inform future potential development projects, and anticipate aging infrastructure replacement needs.

Mayor Shoals commented that a Water and Sewer Master Plan document had been prepared many years ago by Garing Taylor & Associates regarding the industrial area and requested that staff determine whether that document could assist with the new commercial cannabis businesses locating in the industrial area.

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: Upon motion by Mayor Pro Tem Lee, second by Council Member Nicolls, the Council adopted Resolution No. 18-44 awarding the contract for professional engineering services to prepare the City's Water and Sewer System Master Plans to Michael K. Nunley & Associates, Inc.; and authorized the Mayor to execute the agreement on behalf of the City. The motion carried on the following roll call vote, to wit:

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

Resolution No. 18-44: Resolution of the City Council of the City of Grover Beach, California, Authorizing the City to Enter into a Professional Services Agreement with Michael K. Nunley & Associates, Inc., to Prepare the City's Water and Sewer System Master Plans.

COUNCIL COMMITTEE REPORTS

Council Member Nicolls reported a Candidates Breakfast hosted by the Arroyo Grande & Grover Beach Chamber of Commerce and provided a status update on the recruitment of a General Manager for the South San Luis Obispo County Sanitation District.

Council Member Shah reported on meetings of Visit San Luis Obispo County, the Homeless Services Oversight Council, and the South County Homeless Task Force.

Mayor Pro Tem Lee reported on meetings of the Zone Three Advisory Committee and the Integrated Waste Management Authority.

Mayor Shoals reported on meetings of the Five Cities Fire Joint Powers Authority, San Luis Obispo Council of Governments, and the Regional Groundwater Sustainability Project.

Council Member Peterson was absent from this meeting.

COUNCIL COMMUNICATIONS

A. Council Member Shah announced meeting details for the next meeting of the League of California Cities Channel Counties Division to be hosted in Grover Beach on Friday, July 13, 2018.

She also requested and received Council consensus to schedule a future discussion on "public art", given the public comment earlier in the meeting suggesting the placement of public art at the Grover Beach Train Station..

B. Mayor Pro Tem Lee commented on a communication received from a member of the Parks, Recreation and Beautification Commission regarding landscape maintenance needs at Mentone Park. It was noted that maintenance of Mentone Park was already included in the Capital Improvement Program. Brief discussion was also held on communication protocols between the City Council and City advisory bodies.

C. Mayor Shoals described recent discussions by the Countywide Mayors group on regionalism and the suggestion to develop a Code of Civility to be endorsed by the mayors of all seven cities and the County, and then spread from there to other government agencies and organizations. He noted this would be scheduled for discussion by the Grover Beach City Council in June 2018.

In follow-up to earlier Council comments, he noted future Council discussions would be scheduled on the topics of housing, vacation rentals, and code enforcement.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson provided verbal updates and announcements on the following items:

- *805 Beach Breaks* - a well-attended ribbon cutting event was held at one of the City's permitted commercial cannabis businesses;
- *Teen Drop-in Program* - the City has partnered with the Boys and Girls Club to offer a teen drop-in program at the Community Center on Trouville Avenue; and
- *YMCA Summer Sports League* - The City has partnered with the YMCA to offer youth sports programs at 16th Street Park and Grover Heights Park.

Upon request, Police Chief Peters announced details for the upcoming Tip-a-Cop Fundraiser.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

None at this time.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 9:35 p.m.

/s/

JOHN P. SHOALS, MAYOR

Attest:

/s/

DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 10/01/18)