

**MINUTES
CITY COUNCIL MEETING
MONDAY, SEPTEMBER 17, 2018**

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 for the victims of Hurricane Florence in the Carolinas.

FLAG SALUTE The flag salute was led by Mayor Shoals.

ROLL CALL

City Council: Council Members Barbara Nicolls, Debbie Peterson, Mariam Shah, Mayor Pro Tem Jeff Lee, 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, Senior Planner Rafael Castillo, and Deputy City Clerk Wendi Sims 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, August 20, 2018, after meeting in Closed Session regarding:

1. Conference with Legal Counsel – Existing Litigation
Pursuant to Government Code Section 54956.9(d)(1)
Shell Beach Enterprises, Inc. v. City of Grover Beach, et al
San Luis Obispo County Superior Court Case No. 18CV-0224

It was announced that there were no reportable actions taken during the Closed Session. He then stated that the Plaintiffs had given a proposal to the City for purposes of settling the matter, subject to each party carrying their own costs. He reported that the City Council had given him authority (5-0) to advise Plaintiffs that the City would accept the settlement offer which they proposed. Plaintiffs agreed and pursuant to GC Section 54957.1(a)(3) he was reporting that settlement was final and the case had been dismissed.

AGENDA REVIEW

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

PRESENTATION

1. Pledge to Make a Smart Commute Choice During Rideshare Week, October 1-5, 2018.

Peter Williamson, Employer Outreach Coordinator, San Luis Obispo Council of Governments, presented information on programs and events scheduled throughout the County to raise awareness on commute choices that save money, improve health, and reduce impacts on the environment.

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. Mary Jean Sage, Arroyo Grande resident, announced details regarding a Healthy Communities Workshop to be held in San Luis Obispo and distributed an informational flyer and brochure.
- B. The following members of the Service Employees International Union (SEIU) Local 620 commented with regard to contract negotiations with the City:
 - Robert MacLeod, Field Representative, SEIU Local 620;
 - Nora O'Donnell, Recreation Coordinator, City of Grover Beach;

- Raymond Hernandez, Maintenance Specialist, City of Grover Beach; and
- Yesenia Villarreal, Accounting Specialist, City of Grover Beach.

- C. Sharon Brown, Grover Beach resident, inquired and received information from staff regarding the status of several capital improvement projects and planned updates regarding sign regulations.

There were no further public comments received at this time. Upon request from the Council, City Manager Bronson briefly described contract negotiations with SEIU Local 620 and compensation equity adjustments recommended for some job classifications.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Item No. 8 was pulled pursuant to the request of Mayor Shoals. It was moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to approve Consent Agenda Item Nos. 2, 3, 4, 5, 6, 7, 9, and 10 as recommended. The motion carried on the following roll call vote:

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

2. Treasurer's Report for the Period August 10, 2018 – September 7, 2018.

Action: Approved the Treasurer's Report as submitted.

3. 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 August 10, 2018 – September 7, 2018.

Action: Approved the Treasurer's Report as submitted.

4. 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 August 10, 2018 – September 7, 2018.

Action: Approved the Treasurer's Report as submitted.

5. Minutes of the Following City Council Meetings: Regular Meeting on Monday, April 16, 2018; Special Meeting on Monday, April 30, 2018; and Special Meeting on Monday, May 7, 2018.

Action: Approved the minutes as submitted.

6. Biennial Review of Conflict of Interest Code – Consideration of proposed revisions to the City's Conflict of Interest Code designating job classifications that entail the making or participation in the making of governmental decisions which may foreseeably have a material effect on any financial interest, but are not among those positions already mandated by state law to file Statements of Economic Interests (Form 700).

Action: Adopted the Resolution No. 18-88 amending the City's Conflict of Interest Code.

Resolution No. 18-88: A Resolution of the City Council of the City of Grover Beach, California, Adopting a Revised Standardized Conflict of Interest Code for Designated Filers.

7. City Positions on State Propositions 1, 2, and 3 - Consideration of taking positions on initiatives that impact local government regarding affordable housing, service contracts for supportive housing programs, and funding for water infrastructure projects.

Action: Adopted Resolution No. 18-89 taking City positions to support State Propositions 1, 2, and 3 on the November 2018 general election ballot.

Resolution No. 18-89: A Resolution of the City Council of the City of Grover Beach, California, Taking a Position to Support Propositions 1, 2, and 3 on the November 2018 General Election.

9. **Amendment to the Agreement with the Five Cities Fire Authority for Emergency Communication Services** - Consideration of extending the current agreement for an additional month through October 2018.

Action: Adopted Resolution No. 18-90 approving the amendment to the current agreement between the City of Grover Beach and the Five Cities Fire Authority for fire, rescue, and emergency medical aid dispatch services and authorized the Mayor to execute the agreement on behalf of the City.

Resolution No. 18-90: Resolution of the City Council of the City of Grover Beach, Approving an Amended Agreement with the Five Cities Fire Authority for Fire, Rescue, and Emergency Medical Aid Dispatching Services.

10. **Authorization to Amend the Classification and Compensation Plan for the Classification of Engineering Technician** - Consideration of amending the salary range for the classification of Engineering Technician as part of the City's ongoing review of job classifications and compensation.

Action: Adopted Resolution No. 18-91 amending the salary range for the job classification of Engineering Technician (non-exempt).

Resolution No. 18-91: A Resolution of the City Council of the City of Grover Beach, California, Amending the Compensation Plan for the Classification of Engineering Technician (Non-Exempt).

PUBLIC HEARING

None at this time.

REGULAR BUSINESS

11. **Potential City Position on Countywide Measure G-18.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Bronson presented the report for the Council to consider whether to take a formal position on a countywide measure that, if approved, would prohibit well stimulation treatments and any new petroleum extraction within the unincorporated area of San Luis Obispo County. He then responded to questions from the Council.

Mayor Shoals invited public comments on this item.

The following individuals encouraged the Council to remain neutral on the measure:

- Gene Quail, Grover Beach resident; and
- Wayne Embrey, Grover Beach resident.

The following individuals spoke in *opposition* to Countywide Measure G-18:

- Patrick Vowell, environmental specialist, Sentinel Peak Resources;
- Jacob Long, Oceano resident;
- Buck Grayson, Sentinel Peak Resources;
- Robert Soden, Paso Robles resident;
- John Hochlentner, Orcutt resident;
- Lauren Netzer, Pismo Beach resident;
- Johnny Simpson, Pismo Beach resident;
- Christine Halley, Director of Environmental Health & Safety, Sentinel Peak Resources;
- Ian Marquardt, Grover Beach resident;

- Jose Barrera, Santa Maria resident, who submitted an informational flyer;
- Aaron Hanke, San Luis Obispo resident;
- Linda Fielder, Grover Beach resident and business owner; and
- Jimmy Bosaelo, Arroyo Grande resident.

The following individuals spoke in support of Countywide Measure G-18:

- Ryan Svercheck, Arroyo Grande resident;
- Madeline Schechter, Templeton resident;
- Jackson Reznicek, San Luis Obispo resident; and
- Dominique Dashwood, San Luis Obispo resident.

It was noted that correspondence was received from Savanna Cooper, Grover Beach resident, who was not available to attend the meeting to speak in support of Measure G-18.

No further public comments were received at this time.

Council discussion was held regarding the information provided, public comments received, and whether to take a formal position or remain neutral on Countywide Measure G-18.

Council Member Shah commented that although hydraulic fracturing might not occur in San Luis Obispo County, she was concerned with an oil production method that could compromise water quality and would therefore be in support of Measure G-18.

Action: Upon motion by Mayor Pro Tem Lee, seconded by Council Member Nicolls, the Council chose to remain neutral on Countywide Measure G-18 on the November 2018 general election ballot. The motion carried on the following roll call vote:

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

12. Information on State Proposition 10.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. City Manager Bronson presented the staff report for the City Council to consider taking a formal position on a state ballot proposition that would expand the authority of local governments to enact rent control on residential properties.

Mayor Shoals invited public comments on this item. No public comments were received at this time.

Brief discussion was held.

Action: Upon unanimous consensus, the Council chose to remain neutral on State Proposition 10 on the November 2018 general election ballot.

13. City-wide Industrial Design Guidelines.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Referencing a PowerPoint presentation, Senior Planner Castillo provided an overview of recommendations from the Planning Commission regarding adopting Industrial Design Guidelines that would create design parameters for new and redeveloped buildings and properties for industrial zones located within Grover Beach. Staff then responded to questions from the Council.

Brief discussion was held regarding Development Code requirements, the proposed guidelines, and adding more photographs in the guidelines document with further examples of preferred design features/materials.

Mayor Shoals invited public comments on this item.

Sharon Brown, Grover Beach resident, suggested revising the guidelines to encourage additional parking spaces for the disabled. She then submitted a photo of a banner sign being displayed by a new business located in the industrial area.

No further public comments were received at this time.

Further discussion was held on the proposed guidelines, property maintenance issues, and new handout materials to be provided to developers and prospective property owners to encourage high-quality industrial development projects.

Council Member Peterson stated that she would abstain from voting on this item as her residence and business were located within 500 feet of the Industrial Area.

Action: Upon motion by Mayor Pro Tem Lee, seconded by Council Member Nicolls, the Council adopted Resolution No. 18-92 approving City-wide Industrial Design Guidelines as recommended by the Planning Commission. The motion carried on the following roll call vote:

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

Resolution No. 18-92: A Resolution of the City Council of the City of Grover Beach, Approving Industrial Design Guidelines Citywide. (Applicant: City of Grover Beach).

PULLED CONSENT AGENDA ITEMS

8. Police Department Audit/Review Implementation Work Plan.

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Police Chief Peters provided an overview of the Police Department's plans for implementing ongoing improvements in the delivery and operational efficiency of law enforcement services. He then responded to questions from the Council.

Brief discussion was held regarding the process for responding to 72-hour parking violations, the recent remodel of the property and evidence room, and system upgrades in the Dispatch Center utilizing newer technologies and resulting in improved efficiencies. Additional discussion was held on curriculum being developed for emergency response preparedness training specifically for elected officials.

Mayor Shoals invited public comments on this item.

Sharon Brown, Grover Beach resident, praised Police Chief Peters and the Police Department for the proactive manner in which they continue to seek improvement in providing law enforcement services.

Action: Upon unanimous consensus, the Council approved the implementation plan for carrying out the recommendations in the Police Department Audit/Review.

COUNCIL COMMITTEE REPORTS

Council Member Peterson reported on the meeting of the Water Resources Advisory Committee.

Mayor Pro Tem Lee reported on the meeting of the Integrated Waste Management Authority.

Council Member Nicolls had no committee reports at this time.

Council Member Shah had no committee reports at this time.

Mayor Shoals had no committee reports at this time.

League of California Cities - Policy Committee Reports and Other League Matters

Council Member Shah, as President of the Channel Counties Division of the League of California Cities, described the Division reception held during the League's Annual Conference.

Mayor Shoals commented on the sessions attended at the League of California Cities Annual Conference regarding regulating the cannabis industry. He commended City staff for the thorough approach taken in developing the City's commercial cannabis regulations that resulted in the successful implementation of those regulations.

Council Member Peterson reported on the meeting of the Transportation, Communication and Public Works Policy Committee.

COUNCIL COMMUNICATIONS

- A. Council Member Peterson commented on this date being "Constitution Day".
- B. Council Member Shah announced details for a fundraiser to benefit pediatric cancer research.
- C. Council Member Nicolls commented on a ribbon cutting event she had attended for the new homeless services center in San Luis Obispo.
- D. Mayor Pro Tem Lee commented on the success of the recent California Coastal Clean Up Day event. He then announced details for the Empty Bowls fundraiser to benefit the 5Cities Homeless Coalition.
- E. Mayor Shoals commented on recent action by the San Luis Obispo City Council declaring an "Indigenous Peoples Day".

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson commented and/or provided updates on the following:

- *League of California Cities* - the annual conference was held in Long Beach, California;
- *Train Station Expansion Project* - construction was scheduled to begin in the coming days;
- *Community Development Block Grant* - City funding request for \$2.5 million was fully funded;
- *Boys and Girls Club Teen Center* - after school programs were once again being offered at the Grover Beach Community Center on Trouville Avenue; and
- *Grover Beach Clean Up Day* - scheduled to be held on Saturday, October 6.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

Prior to going into Closed Session, Council Member Peterson announced that she had a conflict of interest due to her residence and business being located within 500 feet of the subject property. She then stepped down from the dais and left the Council Chamber.

At 8:42 p.m., the Council met in Closed Session regarding the following item:

1. Conference with Real Property Negotiators

Pursuant to Government Code Section 54956.8

Property: APN 060-206-027

Agency negotiator: City Manager Matthew Bronson and City Attorney David Hale

Negotiating party: Erik Hargrave, VeloTera Services, Inc.

Under negotiation: Lease payment and terms of payment conditions

Closed Session Announcements: At 8:59 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present, except for Council Member Peterson who had recused herself due to a conflict of interest. It was announced that there were no reportable actions taken during the Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 9:00 p.m.

/s/

JOHN P. SHOALS, MAYOR

Attest:

/s/

DONNA L. McMAHON, CITY CLERK
(Approved at CC Mtg 11/19/18)