

**MINUTES
CITY COUNCIL MEETING
MONDAY, NOVEMBER 19, 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

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, Acting City Clerk Wendi Sims, 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 CIP Engineer Erin Wiggin were also present.

CLOSED SESSION ANNOUNCEMENTS

None at this time.

AGENDA REVIEW Mayor Pro Tem Lee suggested that Council move Item 14 to be heard after Consent Item 12 and before the Public Hearing Item 13.

Action: Upon unanimous consensus, 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. Mildreene Kirby, Grover Beach resident, expressed her concerns regarding the accidents at Brighton Avenue and North Oak Park Avenue.
- B. Les Henderson, Grover Beach resident, expressed his concerns regarding the accidents and the rate of speed on North Oak Park Avenue.
- C. Marsha Boylance, Grover Beach resident, commented on the Peoples Kitchen on Rockaway and her concerns about children in the neighborhood.
- D. Susie Reade, Grover Beach resident, made comment on the parking on Oak Park Blvd and the need for the street sweeper to be able to sweep the streets in that location.
- E. Sandra Darby, Grover Beach resident, commented briefly about the People's Kitchen on Rockaway and concern regarding its proximity to the elementary school.
- F. Sioux Strebin, Grover Beach resident, Asked the City Council if they would be willing to work on a "butt can" project for our city to help get cigarette butts off the street. She also made comment on City Trees that are lifting parking areas and leaving debris on the ground that causes tripping hazards.
- G. John Wysong, Grover Beach resident, commented on Oak Park Blvd being dangerous, and, the need to look into reverse osmosis to assist in the water shortage.
- H. Wayne Embree, Grover Beach resident, agreed that Oak Park is a dangerous road, and with the incline, it's difficult to maintain your speed.

Mayor Shoals commented that studies done in the past did not warrant a stop sign at that location, but felt that it was time to take another look at the Oak Park Blvd and Brighton intersection to see what could be done to improve the situation. The Council was in support of bringing back a discussion regarding traffic control on North Oak Park.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Council Member Peterson asked for clarification on Item No. 9, the Transient Occupancy Tax Ordinance, regarding the taxes that are collected. City Attorney Hale commented that the city does have the ability to enforce the other applicable taxes. Mayor Pro Tem Lee asked for clarification on Item No. 12, the Acceptance of the Street Rehabilitation and Repair Project, CIP 2295-4, inquiring if there were warranties should the ADA ramps not be in compliance. Public Works Director/City Engineer Ray assured the council that the designs were reviewed, meet CalTrans Standards and warranties are in place if found not to be in compliance upon inspection. Council Member Peterson asked for additional clarification on Item No. 10, the Business Tax Certificate Ordinance, inquiring if those businesses with Home Occupancy Permits were held to the square foot requirement. City Attorney Hale explained that home businesses would get charged the minimum fee of \$60 along with the Home Occupancy Permit that is currently required.

After the additional explanation from staff, it was moved by Council Member Peterson and seconded by Council Member Nicolls to approve Consent Agenda Item Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 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

1. Treasurer's Report for the Period October 5 to November 13, 2018.

Action: Approved the Treasurer's Report as submitted.

2. 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 October 5 to November 13, 2018.

Action: Approved the Treasurer's Report as submitted.

3. Minutes of the Following City Council Meetings:

- **Special Meeting on Monday, July 23, 2018 at 6:00 p.m.;**
- **Regular Meeting on Monday, August 20, 2018 at 6:00 p.m.;**
- **Regular Meeting on Monday, September 17, 2018 at 6:00 p.m.;**
- **Regular Meeting on Monday, October 1, 2018 at 6:00 p.m.;**
- **Regular Meeting on Monday, October 15, 2018 at 6:00 p.m.;**

Action: Approved the minutes as submitted.

4. Affirming the City of Grover Beach Investment Policy - Administrative Services Director Chapman - The City Council reviewed the City's written policy for investing public funds, as required by state law.

Action: Adopted Resolution 18-94 amending the City's Investment Policy as required by state law.

Resolution 18-94: A Resolution of the City Council of the City of Grover Beach, California, Affirming the Investment Policy for the City of Grover Beach.

5. Authorization to Amend the Classification and Compensation Plan for Community Development Positions – City Council considered amending the job classifications of Building/Planning Technician and Planner I/II to better serve future City requirements.

Action: Adopted Resolution 18-95 amending the Position Authorization Resolution No. 17-11 to reclassify the Planner I/II job specifications to Assistant Planner and Associate Planner, update the Building/Planning Technician job specification, and modify related salary ranges.

Resolution 18-95: A Resolution of the City Council of the City of Grover Beach, California, Amending the Position Authorization Resolution No. 18-61 to Reclassify the Planner I/II Job Specifications to Assistant Planner and Associate Planner Job Specifications, Update Building/Planning Technician Job Specifications and Affirm the Salary Range.

6. **Amendment to Management and Confidential Employee Compensation for Bilingual Pay** – City Council considered adding bilingual incentive pay for eligible employees in the Management and Confidential employee group, effective July 1, 2018.

Action: Adopted Resolution 18-96 amending the Classification and Compensation Plan for Management and Confidential employees adding a bilingual pay incentive for eligible employees.

Resolution 18-96: A Resolution of the City Council of the City of Grover Beach, California, Approving the Proposed Adjustment with Management and Confidential Employees to Add Bilingual Incentive Pay and Amending the Compensation and Benefit Structure for the Period July 1, 2018 through June 30, 2021.

7. **Resolution for Appointment of Negotiating Team Regarding City Attorney Contract** – City Council considered formally designating a City representative to negotiate terms of compensation for City Attorney services.

Action: Adopted Resolution 18-97 establishing the City's negotiating team for negotiations with the City Attorney regarding contract terms, conditions, compensation and performance.

Resolution 18-97: A Resolution of the City Council of the City of Grover Beach, California, Establishing the City's Negotiating Team for Negotiations with the City Attorney

8. **Master Fee Schedule Update for Administrative Citation Penalties** – City Council considered amending the Master Fee Schedule to add Administrative Citations as referenced in the Grover Beach Municipal Code Article I.

Action: Adopted Resolution 18-98 amending the Master Fee Schedule for 2018-19 to add Administrative Citation Penalties to the Master Fee Schedule consistent with Grover Beach Municipal Code.

Resolution 18-98: A Resolution of the City Council of the City of Grover Beach, California, Amending the Master Fee Schedule Regarding Administrative Citation Penalties.

9. **Introduction and First Reading of Transient Occupancy Tax Ordinance** – City Council conducted a first reading and introduction of the ordinance to increase the TOT rate. The second reading and adoption of the ordinance is scheduled for the next regularly scheduled Council meeting on December 3, 2018.

Action: Conducted first reading, by title only, and introduced the Ordinance 18-06 amending Section 10602 of Chapter 6, Article X of the Grover Beach Municipal Code relating to increasing the Transient Occupancy Tax and schedule a public hearing for the second reading and adoption of the Ordinance at the next regularly scheduled City Council meeting.

Ordinance 18-06: An Ordinance of the City Council of the City of Grover Beach, California, Amending Section 10602 of Chapter 6, Article X of the Grover Beach Municipal Code Relating to Increasing the Transient Occupancy Tax.

10. **Introduction and First Reading of Business Tax Certificate Ordinance** –City Council conducted a first reading and introduction of the ordinance to restructure the BTC rate. The second reading and adoption of the ordinance is scheduled for the next regularly scheduled Council meeting on December 3, 2018.

Action: Conducted first reading, by title only, and introduced the Ordinance 18-07 repealing and adopting a new Chapter 2, Article X of the Grover Beach Municipal Code relating to Business Tax Certificates and schedule a public hearing for the second reading and adoption of the Ordinance at the next regularly scheduled City Council meeting.

Ordinance No. 18-07: An Ordinance of the City Council of the City of Grover Beach, California, Repealing Chapter 2, Article X of the Grover Beach Municipal Code and Adopting a New Chapter 2, Article X Relating to Business Tax Certificate.

11. **Citizen Oversight Committee – 2017-18 Street Bonds Report** –City Council received a report from the citizen committee tasked with reviewing Measure K-14 bond proceeds collected and expended as authorized with the voter-approved bond measure for street rehabilitation, as well as reviewed the status of projects completed and currently underway that are financed from bond proceeds.

Action: Received and filed the 2017-18 Citizen Oversight Committee – Street Bonds Measure K14 Report to the City Council.

12. **Acceptance of the Street Rehabilitation and Repair Project, CIP 2295-4** - City Council considered accepting the improvements for pavement rehabilitation, water and sewer upgrades, sidewalk, and curb and gutter upgrades on selected streets for the maintenance and repair of approximately 53 city blocks.

Action: Adopted Resolution 18-99 accepting the improvements constructed by V. Lopez & Sons General Engineering Contractors, Inc., and authorized staff to send the Notice of Completion to V. Lopez & Sons General Engineering Contractors, Inc., for the Street Rehabilitation and Repair Project, CIP 2295-4.

Resolution 18-99: A Resolution of the City Council of the City of Grover Beach, California, Formally Accepting the Street Rehabilitation and Repair Project, CIP 2295-4.

ORDER OF THE DAY: Upon consensus of the Council, the Order of the Day was revised to consider Agenda Item No. 14 prior to Agenda Item No. 13, as requested earlier in the meeting under Agenda Review.

14. **Mentone Basin Park Improvements** – Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Parks and Recreation Director Pekter and CIP Engineer Wiggins referred to a PowerPoint presentation explaining the proposed improvements to the drainage basin, the current basketball court facilities and the area where the Carolin House was located.

Staff then responded to questions from the Council regarding parking and basin utilization.

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

Souix Strebin, Grover Beach resident, recommended using drought tolerant plants and “park friendly” trees.

Wayne Embree, Grover Beach resident, commented on the current parking issues at the park.

Robert Patterson, Grover Beach resident, made a comment on perhaps having the Boy Scout troop help volunteer in the park improvements such as making benches for the park.

There were no further public comments received at this time.

Brief discussion was had by the Council on parking considerations, budgeting for the phases to complete the project, and types of usage for the basin. The Council then gave direction to the staff to move forward on Phase 1 and come back to the Council with a master plan that includes everything that was discussed.

Action: Received information on the condition of the Mentone Basin Park facilities and the recommendation for park improvements from the Parks, Recreation and Beautification Commission and provided direction to staff on the scope of improvements to implement as part of the Capital Improvement Program.

ORDER OF THE DAY: The Order of the Day resumed to the agenda as posted.

PUBLIC HEARING

13. **Introduction and First Reading of an Ordinance to Repeal and Add a New Section 3.50, of Chapter 3 of Article IX of the Grover Beach Municipal Code, Parking Regulations, and Related Sections and Approve a Local Coastal Program Amendment (Development Application 18-46)** – Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. Community Development Director Buckingham along with Martha Miller, a consultant with Lisa Wise Consulting, referenced a PowerPoint presentation and gave an in-depth report of the changes recommended for the parking regulations.

Extensive discussion ensued regarding the proposed changes with staff responding to questions from the Council on the reduction and standardization of parking requirements, on-street parking, and parking districts.

Mayor Shoals invited public comment on this matter. No public comments were received at this time and the mayor closed the Public Hearing.

Action: It was moved by Mayor Pro Tem Lee and seconded by Council Member Peterson to 1) Conduct first reading, by title only, and introduce the Ordinance 18-08 amending Article IX of the Grover Beach Municipal Code to amend the City's parking regulations; and 2) Schedule second reading for certification of the negative declaration and adoption of the Ordinance 18-08 and a Resolution 18-100 approving a Local Coastal Program Amendment at the next regularly scheduled City Council meeting. 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

Ordinance 18-08: An Ordinance of the City Council of the City of Grover Beach, California, Deleting and Adding Section 3.50 of Chapter 3 of Article IX Development Code, and Amending, Sections 3.30.030, 3.30.050, of Chapter 3, Sections 4.10.040, 4.10.060, 4.10.070, 4.10.090, 4.10.120, 4.10.150, 4.10.170, 4.10.190, 4.10.200, 4.30.040 of Chapter 4, and Section 9.10.020 of Chapter 9, of Article IX, Development Code, of the Grover Beach Municipal Code

Resolution 18-100: A Resolution of the City Council of the City of Grover Beach, California, Adopting a Negative Declaration Amending Grover Beach Municipal Code Article IX Development Code, Section 3.50 Parking Regulations and Other Minor Modifications.

REGULAR BUSINESS

15. **FY 2017-18 Year-End and FY 2018-19 First Quarter Financial Review**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Administrative Services Director Chapman referred to a PowerPoint presentation to give the preliminary information on year-end financial results for FY 2017-18 and a financial update on the first quarter of the new fiscal year.

Staffed responded to questions from the Council on report.

Action: Received information on the FY 2017-18 Year-End and FY 2018-19 First Quarter Financial Review and provide comments to staff.

COUNCIL COMMITTEE REPORTS

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

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

Council Member Shah reported on the Air Pollution Control District meeting and gave an update on the Zone Three Advisory Committee meeting which she attended in Mayor Pro Tem Lee's absence.

Council Member Nicolls had no committee reports at this time.

Mayor Shoals had no committee reports at this time.

COUNCIL COMMUNICATIONS

- A. Council Member Nicolls announced that Nipomo New High Technical School is having a regional forum, hosted by the South County Chambers of Commerce for the students to learn about politics and civil discourse.
- B. Mayor Pro Tem Lee mentioned the upcoming 5Cities Homeless Coalition's "Dinner for a Cause" at Fin's Restaurant on Tuesday, November 27th with 100% of the dinner proceeds going to 5Cities Homeless Coalition services.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson mentioned the upcoming festivities in the City starting with the holiday parade on Saturday, December 1st which begins at 10:00 a.m. followed by Santa's Workshop at Ramona Park. He also mentioned the Beachfront Holiday Stroll to be held on December 8th on Grand Avenue from 4th Street to Highway 1 from 3:00 p.m. – 4:30 p.m., where there will be a strolling Santa, raffle prizes and more.

He introduced the new Acting City Clerk, Wendi Sims.

He gave an update on the Train Station expansion.

He also provided a brief Broadband update.

In closing, he mentioned that the repaving of the Ramona Park parking lot is moving forward and we have received 4 bids which will be brought before the City Council on December 3.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

CLOSED SESSION

At 9:01 p.m., the Council met in Closed Session regarding the following item(s):

1. **Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6.
Agency Negotiator: Special Counsel Che Johnson, City Manager Matthew Bronson, Admin. Services Director Gayla Chapman, Asst. Administrative Services Director Eve Byrd, Management Analyst/Human Resources Karla Mattocks, and Accountant Heidi Stockert (May include all or some of the above)
Represented Employee Group: General Employees - (SEIU) Service Employees International Union, Local 620

2. **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 case
3. **Public Employee Performance Evaluation**
Pursuant to Government Code Section 54957
Employee: City Attorney
4. **Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Council
Unrepresented Employee: City Attorney

Closed Session Announcements: At 9:52 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present. City Attorney Hale announced that Council gave direction to staff to proceed with litigation, pursuant to Government Code Section 54956.9(d)(4).

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 9:53 p.m.

/S/

JOHN P. SHOALS, MAYOR

Attest:

/S/

WENDI SIMS, ACTING CITY CLERK
(Approved at CC Mtg. 12/03/18)