

MINUTES

SPECIAL CITY COUNCIL MEETING MONDAY, MAY 10, 2021

In compliance with the State and County Shelter at Home Orders, and as allowed by the Governor's Executive Order N-29-20, which allows for a deviation of teleconference rules required by the Ralph M. Brown Act, City Council meetings will be held by teleconference only until further notice.

CALL TO ORDER Mayor Lee called the meeting to order on Monday, March 10, 2021 at 5:01 p.m., with all Council Members teleconferencing.

ROLL CALL

City Council: Council Members, Anna Miller, Robert Robert, Daniel Rushing, Mayor Pro Tem Karen Bright and Mayor Jeff Lee were present via video conference.

City Staff: City Manager Matthew Bronson, City Attorney David Hale, City Clerk Wendi Sims, Administrative Services Director Deanne Purcell, Finance Manager Annette Munoz, Management Analyst/Human Resources Karla Mattocks, and Deputy City Clerk Nicole Retana were also present.

Special Legal Counsel Che Johnson was also present via video conference.

PUBLIC COMMUNICATIONS The Mayor opened the floor to any member of the public calling into the meeting on the teleconference line (805) 321-6639, for comment on items of interest which were within the jurisdiction of the City Council but were not listed on the agenda. No one responded and the Mayor closed the Public Communications segment for this portion of the meeting.

CLOSED SESSION

City Attorney Hale announced items for closed session.

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 Deanne Purcell, Finance Manager Annette Munoz, and Management Analyst/Human Resources Karla Mattocks, (May include all or some of the above)

Represented Employee Group: General Employees – Service Employees International Union, Local 620 (SEIU)

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9. (Represents two case.)

Mayor Lee invited public comment on this matter. No public comments were received at this time and the Mayor closed public comment.

Mayor Lee recessed the meeting into closed session at 5:03 p.m.

Closed Session Announcements: At 5:40 p.m., Mayor Lee 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 Lee adjourned the meeting at 5:56 p.m.

JEFF LEE, MAYOR

Attest:

WENDI SIMS, CITY CLERK
(Approved at CC Mtg _____)

**MINUTES
CITY COUNCIL MEETING
MONDAY, MAY 10, 2021**

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CALL TO ORDER Mayor Lee called the meeting to order on Monday, May 10, 2021 at 6:00 p.m., with all Council Members teleconferencing.

MOMENT OF SILENCE

FLAG SALUTE The flag salute was led by Dana Petker, a 14-year-old, 8th grader at Paulding Middle School.

ROLL CALL

City Council: Council Members Anna Miller, Robert Robert, Daniel Rushing, Mayor Pro Tem Bright and Mayor Jeff Lee were present via video conference.

City Staff: City Manager Matthew Bronson, City Attorney David Hale, City Clerk Wendi Sims, Police Chief John Peters, Administrative Services Director Deanne Purcell, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Greg Ray, Parks & Recreation Program Director Kathy Petker, and Deputy City Clerk Nicole Retana were also present.

CLOSED SESSION ANNOUNCEMENTS

On Monday, May 10, 2021 at 5:00 p.m., the Council met in Closed Session regarding the following items.

A. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6.

Agency Negotiator: Special Counsel Che Johnson, City Manager Matthew Bronson, Admin. Services Director Deanne Purcell, Finance Manager Annette Munoz, and Management Analyst/Human Resources Karla Mattocks, (May include all or some of the above)

Represented Employee Group: General Employees - Service Employees International Union, Local 620 (SEIU)

B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 (Represents two cases)

It was announced that there were no reportable actions taken during Closed Session.

AGENDA REVIEW

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

CEREMONIAL CALENDAR

1. Proclamation for **Public Works Appreciation Week** read by Mayor Lee and accepted by Public Works Director Greg Ray.
2. Proclamation for **National Police Week** read by Council Member Robert and accepted by Police Chief Peters.

PRESENTATIONS

None.

PUBLIC COMMUNICATIONS The Mayor opened the floor to any member of the public calling into the meeting on the teleconference line (805) 321-6639, for comment on items of interest which were within the jurisdiction of the City Council but were not listed on the agenda.

- Jim Joffee

With no further comments Mayor Lee closed public comment.

CONSENT AGENDA

Prior to consideration of the Consent Agenda, Mayor Lee invited public comment on the items under the Consent Agenda. At this time Mayor Lee asked if there was anyone on the teleconference line that wanted to make any public comments there was no one so Mayor Lee closed public comment.

It was motioned by Council Member Miller and seconded by Council Member Robert to approve Consent Agenda Item Nos. 3, 4, 5, 6, and 7 as recommended. The motion carried on the following roll call vote:

AYES: Council Members –Miller, Robert, Rushing Mayor Pro Tem Bright, and Mayor Lee
NOES: Council Members - None.
ABSENT: Council Members - None.
ABSTAIN: Council Members - None.

3. **Minutes of the City Council Monday, April 26, 2021.**
Action: Approved the minutes as revised.
4. **COVID-19 Response Update**
Action: Received an update on the countywide and City response to the COVID-19 pandemic.

5. **Award of Construction Contract for Citywide ADA Improvements Project, CIP 3003**
Action: Awarded the construction contract for the Citywide Street ADA Improvements Project CIP 3003 to JJ Fisher Construction Inc., in the amount of \$72,983 for the Base Bid; authorized the City Manager to sign and affirm construction and construction management change orders up to an aggregate of \$7,298; and authorized the Mayor to execute the contracts on behalf of the City.
6. **Professional Services Agreement for Development Code Update and Land Use Element Update to Implement 2020-28 Housing Element Programs and SB2 Planning Grants Program**
Action: Authorized the City to enter into a Professional Services Agreement with MIG, Inc. to update the Development Code and Land Use Element to implement 2020-28 Housing Element Programs and SB2 Planning Grants Program.
7. **Appointments to the Parks, Recreation, and Beautification Commission**
Action: Adopted the Resolution No. 21-10 appointing Kassi Dee, Donna De La Rosa and Kara Ramirez to the three (3) vacant seats on the Parks, Recreation, & Beautification Commission, and which are scheduled to expire on May 31, 2025; and introduced Commissions Dee, De La Rosa, and Ramirez to the City Council and members of the audience.

Resolution No. 21-10: A Resolution of the City Council of the City of Grover Beach California, Appointing Kassi Dee, Donna De La Rosa and Kara Ramirez to serve on the Parks, Recreation, and Beautification Commission

PUBLIC HEARING

8. **Water Shortage Stage 1 Declaration and First Reading of an Ordinance Amending City Municipal Code Article VII, Public Works, Chapter 2, Mandatory Water Conservation**

Mayor Lee read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report.

Public Works Director Ray presented staff report via a PowerPoint Presentation discussing the Stage 1 water shortage.

Council had a discussion on what measures will be taken for the implementation with staff answering accordingly.

Mayor Lee invited public comment on this matter.

- **John Wysong**

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

Action: It was motioned by Mayor Pro Tem Bright and seconded by Council Member Robert to 1) Conducted a public hearing to allow consumers of the City's water supply to protest against water shortage declaration and to present their respective needs to the Council; and 2) Conducted a public hearing for the first reading and introduction of an Ordinance amending Parts 3 and 4 of Chapter 2 of Article VII of the Grover Beach Municipal Code and scheduled the second reading and adoption at the next regularly scheduled Council meeting. The motion carried on the following roll call vote:

AYES: Council Members –Miller, Robert, Rushing, Mayor Pro Tem Bright, and Mayor Lee
NOES: Council Members – None
ABSENT: Council Members – None
ABSTAIN: Council Members – None

Resolution No. 21-11: A Resolution of the City Council of the City of Grover Beach, California, Declaring a Stage 1 Water Shortage Condition in Accordance with California Water Code Section 350 and City of Grover Beach Municipal Code Section 7202.

9. Adoption of Proposed Water and Wastewater Rate Increases

Mayor Lee read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report.

Administrative Services Director Purcell presented the staff report via a PowerPoint Presentation and mentioned Kevin Burnett and Chris Fisher were available for questions.

Council questioned if staff is required to keep the protests on file and how long and if they are public record with Chris Fisher and City Attorney Hale answering accordingly.

Mayor Lee invited public comment on this matter.

- **Bruce Severance**
- **Linda Fromm**

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

Action: It was motioned by Council Member Miller and seconded by Council Member Robert to 1) Conducted the Proposition 218 public hearing and determine the official number of written protests received on proposed water and wastewater rate increases; and 2) if the number of valid protest votes is below 50% of the number of property owners or customers authorized to vote, adopt the Resolution No. 21-12 amending the Master Fee Schedule for water and wastewater rates. The motion carried on the following roll call vote:

AYES: Council Members – Miller, Robert, Rushing, Mayor Pro Tem Bright, and
Mayor Lee
NOES: Council Members – None
ABSENT: Council Members – None
ABSTAIN: Council Members – None

Resolution No. 21-12: A Resolution of the City Council of the City of Grover Beach, California, Amending the Master Fee Schedule for Water and Wastewater Rates.

REGULAR BUSINESS

10. Commercial Cannabis Update and Policy Issues

Mayor Lee read the title to the foregoing item and deferred to staff for a report.

City Manager Bronson introduced Community Development Director Buckingham who presented a staff report via a PowerPoint Presentation discussing the Commercial Cannabis update and the policy issues. Police Chief Peters spoke on permitting requirements and Administrative Services Director Purcell reviewed the Cannabis Tax Revenues.

Council asked questions of staff regarding the final numbers of the Cannabis Tax Revenues and the option for a current retailer to have auxiliary location with staff responding accordingly.

Mayor Lee invited public comment on this matter.

- **Joe Armendariz**

No further public comments were received at this time and the Mayor closed public comment.

Council's discussion ensued and provided staff direction on permitting/renewal changes, onsite consumption and not allowing storefronts on Grand Ave at this time.

Action: Received an update on the implementation of the City's commercial cannabis ordinances and regulatory processes and provided direction to staff on permitting changes, onsite consumption, and cannabis tax rates along with other related issues.

11. Update of 2021 City Council Assignments to Boards, Commissions and Committees

Mayor Lee read the title to the foregoing item and deferred to staff for a report.

City Manager Bronson discussed the additional updates needed for the 2021 City Council assignments.

Mayor Lee invited public comment on this matter. With no comments Mayor Lee closed public comment.

Mayor Lee confirmed the selection of new Committee members and alternate assignments.

Action: It was motioned by Mayor Pro Tem Bright and seconded by Council Member Rushing to adopt the Resolution No. 20-13 confirming certain Council assignments and authorized the City Clerk to update FPPC Form 806 for posting on the City Website if needed.

AYES: Council Members – Miller, Robert, Rushing, Mayor Pro Tem Bright, and Mayor Lee
NOES: Council Members – None
ABSENT: Council Members – None
ABSTAIN: Council Members – None

Resolution No. 21-13: A Resolution of the City Council of the City of Grover Beach, California, Revising City Council Committee Assignments for Calendar Year 2021.

PUBLIC COMMUNICATIONS The Mayor opened the floor to any member of the public calling into the meeting on the teleconference line (805) 321-6639, for comment on items of interest which were within the jurisdiction of the City Council but were not listed on the agenda. No one was on the line for public comment.

COUNCIL COMMITTEE REPORTS

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

Mayor Pro Tem Bright reported on the South SLO Regional Transit Authority meeting.

Mayor Lee commented on the South County Sanitation District meeting.

LEAGUE OF CALIFORNIA CITIES – POLICY COMMITTEE REPORTS AND OTHER LEAGUE MATTERS

None.

COUNCIL COMMUNICATIONS

Council Member Miller discussed receipt of emails regarding improvements to Grand Ave.

Mayor Lee gave an update that the Annual Fiesta at Fin's raised \$17,500 for the 5 Cities Homeless Coalition. He stated the receipt of 2 proclamation requests, Hunger Awareness on June 4th and Pride Month in June, asking for concurrence from the Council which they all concurred. He also mentioned the shooting of two (2) San Luis Obispo Police Officers this evening while they were serving a warrant in San Luis Obispo, and his thoughts are with the officers and their families.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Bronson discussed all the construction going on in Grover Beach, 16th Street New Playground set to be completed in June, two street projects currently in progress on South 14th Street and the gas company preparing for the next project on Trouville, Manhattan, and Seabright. He noted the Highland Way sewer project is just about completed and future projects coming up are intersection improvements on Oak Park and Grand; restriping of the Pike and our light maintenance street project that will affect 23 different street segments around the City. He also mentioned the reopening of City Hall end of May and in-person City Council meetings are due to start later this Summer.

CITY ATTORNEY'S REPORTS AND COMMENTS

None.

CLOSED SESSION

None.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Lee adjourned the meeting at 8:28 pm

JEFF LEE, MAYOR

Attest:

WENDI SIMS, CITY CLERK
(Approved at CC Mtg _____)