

**MINUTES  
SPECIAL CITY COUNCIL MEETING  
MONDAY, DECEMBER 3, 2018**

**CALL TO ORDER** Mayor Shoals called the meeting to order at 5:30 p.m. in the City Hall Council Chamber, 154 South Eighth Street, Grover Beach, California.

**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, Acting City Clerk Wendi Sims, Administrative Services Director Gayla Chapman, and Special Council Che Johnson were also present.

**PUBLIC COMMUNICATIONS**

The Mayor opened the floor to any member of the public for comment on any items listed on the agenda. No public comments were received at this time and the mayor closed the Public Comments.

**CLOSED SESSION**

At 5:31p.m., the Council met in Closed Session regarding the following items:

**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 - Service Employees International Union, Local 620 (SEIU)

Closed Session Announcements: At 5:45 p.m., the meeting reconvened in open session with all Council Members present. 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 5:46 p.m.

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JOHN P. SHOALS, MAYOR

Attest:

\_\_\_\_\_  
WENDI SIMS, ACTING CITY CLERK  
(Approved at CC Mtg \_\_\_\_\_)

**MINUTES  
CITY COUNCIL MEETING  
MONDAY, DECEMBER 3, 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 Gilberto Reynoso Sandoval is a 12 year old, 6<sup>th</sup> grade student from Grover Beach Elementary School.

**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, and Parks & Recreation Program Director Kathy Petker were also present.

**CLOSED SESSION ANNOUNCEMENTS**

City Attorney Hale read the following announcement:

On Monday, November 19, 2018 after meeting in Closed Session regarding:

- 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

the City Council reconvened into open session and announced that direction was given to staff to proceed with litigation.

### **AGENDA REVIEW**

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

**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. John Wysong, Resident, made comments regarding water issues

### **CONSENT AGENDA**

Prior to consideration of the Consent Agenda, Item Nos. 3, 6, and 7 were pulled pursuant to the requests of Mayor Pro Tem Lee and Mayor Shoals, respectively.

It was moved by Mayor Pro Tem Lee and seconded by Council Member Nicolls to approve Consent Agenda Item Nos. 1, 2, 4, 5 and 8 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 November 13 to November 28, 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 November 13 to November 28, 2018.**

**Action:** Approved the Treasurer's Report as submitted.

**4. Second Reading and Adoption of Ordinance 18-08 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) –.** The City Council conduct a second reading of Ordinance No. 18-08, by title only, and adopt Resolution No. 18-100 to approve the LCP Amendment.

**Action:** 1. Conducted a second reading, by title only, and adopt Ordinance No. 18-08 amending Article IX of the Grover Beach Municipal Code to amend the City's parking regulations; and 2. Adopted Resolution No. 18-104 approving a Local Coastal Program Amendment.)

**Ordinance No. 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 No. 18-104: A Resolution of the City Council of the City of Grover Beach, California, Authorizing and Directing the Community Development Director to Submit the Local Coastal Implementation Amendment Associated with Ordinance No. 18-08 to the California Coastal Commission for Final Certification**

5. **Professional Services Agreement for City Attorney Services** –The City Council considered a Second Amendment to the City Attorney’s Professional Services Agreement to increase his hourly rates.

**Action:** Approved the attached Amendment to the City Attorney’s Professional Services Agreement.

8. **Service Employees International Union Memorandum of Understanding for 2018-2019** – The City Council considered adopting the Resolution amending the compensation structure of the Service Employees International Union Memorandum of Understanding for a one year term of 2018-2019.

**Action:** Adopted Resolution No. 18-103 amending the compensation structure of the Service Employees International Union Memorandum of Understanding for a one year term of 2018-2019.

**Resolution No. 18-103: A Resolution of the City Council of the City of Grover Beach, California, Ratifying a Memorandum of Understanding with Service Employees International Union, Local 620 (SEIU) from December 3, 2018 to June 30, 2019.**

### **PULLED CONSENT AGENDA ITEMS**

3. **Minutes of the City Council Meeting(s) on Monday, November 19, 2018.**

Mayor Pro Tem Lee noted that the reportable action from the closed session announcement for the November 19, 2018 meeting was overlooked and wanted to make sure that the minutes were corrected.

**Action:** Motioned by Mayor Pro Tem Lee and seconded by Council Member Peterson to approve the minutes as revised. Motion was carried on unanimous voice vote.

6. **Award of Construction Contract, CIP 3393 Ramona Square Parking Lot (South Lot) and CIP 3000 Community Center Parking Lot Maintenance** –

Mayor Shoals read the foregoing title and referred to Public Works Director/Engineer Ray for a brief explanation on the contract on the award of construction contract for construction for the Ramona Garden Square Parking Lot and Community Center Parking lot.

**Action:** It was moved by Mayor Pro Tem Lee and seconded by Council Member Peterson to adopt Resolution No. 18-101 awarding the contract for construction of CIP 3393

Ramona Square Parking Lot (South Lot) and CIP 3000 Community Center Parking Lot Maintenance to RDZ Contractors, Inc., in the amount of \$78,870.75; authorize the City Manager to sign and affirm construction change orders up to an aggregate of \$15,775.00; and authorize the Mayor to execute the contract on behalf of the City). 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

**Resolution No. 18-101: A Resolution of the City Council of the City of Grover Beach, California, CIP 3393 Ramona Square Parking Lot (South Lot) and CIP 3000 Community Center Parking Lot Maintenance Awarding the Construction Contract to RDZ Contractors, Inc.**

**7. Farroll Road and South 16<sup>th</sup> Street All-Way Stop Control**

Mayor Shoals read the foregoing title and referred to Public Works Director/Engineer Ray for a brief staff report regarding the All-Way Stop Control at Farroll road and South 16<sup>th</sup> Street. Public Works Director/Engineer Ray gave reference to the JHD Consultants analysis on the traffic control. A number of thresholds were considered, and all way stop control is warranted.

Mayor Shoals invited public comments on this item.

Wayne Embree, Grover Beach resident, made comments regarding a new striping method used for better visibility.

**Action:** The motion was made by Council Member Peterson and seconded by Council Member Shah to adopt Resolution No. 18-102 authorizing installation of all-way stop control at the intersection of Farroll Road and South 16<sup>th</sup> Street and installation of a new high visibility crosswalk with additional safety enhancements.) 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

**Resolution No. 18-102: A Resolution of the City Council of the City Of Grover Beach, California, Approving the Installation of All-Way Stop Control at the Intersection of South 16th Street and Farroll Road.**

City Council discussed and agreed that a notice should be sent to the public regarding the improvements. City Manager reported that a news release and social media notice will be distributed. Greg Ray also confirmed that the newer method of black border around crosswalk striping can be added later if the City chooses.

**PUBLIC HEARINGS**

**9. 2nd Reading and Adoption of Transient Occupancy Tax Ordinance**

Mayor Shoals read the title to the foregoing item, declared the Public Hearing open, and deferred to staff for a report. City Manager Bronson provided a brief summary of the Ordinance and its majority passing by the voters, explaining that this is a formality in the process.

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 Council Member Nicolls and seconded by Mayor Pro Tem Lee to conduct a second reading, by title only, and adopt Ordinance No. 18-06 amending Section 10602 of Chapter 6, Article X of the Grover Beach Municipal Code relating to increasing the Transient Occupancy Tax. 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 No. 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. 2nd Reading and Adoption of the Business Tax Certificate Ordinance –**

Mayor Shoals read the title to the foregoing item, and deferred to staff for a report. City Manager Bronson provided a brief summary of the Ordinance and its purpose. This Ordinance was also approved by voters.

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 Council Member Mayor Pro Tem Lee and seconded by Council Member Shah to conduct second reading, by title only, and adopt Ordinance No. 18-07 a

new Chapter 2, Article X of the Grover Beach Municipal Code relating to Business Tax Certificates with language change removing reference to gross sales tax and also adding language in the cover page after 6<sup>th</sup> Whereas. 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 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**

**REGULAR BUSINESS**

**11. Advancement of Public Art in Grover Beach**

Mayor Shoals read the title to the foregoing item, and deferred to staff for a report. Parks and Recreation Director Petker provided presentation of outreach and research to-date regarding an implementation of a public arts program/policy in Grover Beach.

Discussions were held on how to create the policies, if committees would be necessary, and how soon we could get the policy together to move this project forward.

A. Krista Jeffries, Grover Beach resident, made comments in support of a public art program

B. Wayne Embree, Grover Beach resident, made comments about being concerned with public art on private homes with no policies.

C. Debborah Guerra, Grover Beach resident, made comments in support of public art

**Action:** Upon unanimous consensus of the City Council, direction was provided for staff to bring back 3 to 5 ideas on the type of public art to be brought in front of the Council, as well as the framework for the public art policy.

### **COUNCIL COMMITTEE REPORTS**

Council Member Shah reported on the Homeless Services Oversight Council informed the group that discussions included the grants coming from the state.

Council Member Shah reported that the SLO County Board of Supervisors would be discussing inclusionary housing at its next meeting. She reported that there is support from home builders and the community as well.

Mayor Pro Tem Lee reported on the Zone Three Advisory Committee. The committee will be recommending cloud seeding program to the Board of Supervisors due to current and expected the precipitation level at Lopez Lake.

### **COUNCIL COMMUNICATIONS**

Council Member Peterson mentioned the Beachfront Holiday Stroll on December 8<sup>th</sup> from 3 to 4:30 p.m.

Council Member Peterson requested an update on the issue of traffic concerns which was brought up during public comments at the previous council meeting by citizens from the Oak Park area. Mayor Shoals agreed that a follow up report is needed regarding this incident.

Mayor Pro Tem Lee commented on the upcoming expected rain and that the Warming Shelter will be open on both December 4<sup>th</sup> and 5<sup>th</sup> for those who need shelter. He also reported on a successful fundraiser held at Fin's Restaurant on November 27<sup>th</sup> on behalf of the Five Cities Homeless Coalition.

### **CITY MANAGER'S REPORTS AND COMMENTS**

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

- *Regarding the traffic issue on Brighton/Oak Park which was mentioned at the previous council meeting on November 19, 2018. There is ongoing research regarding the activity as well another speed survey which will result in a report at the beginning of 2019.*
- *The median on South Oak Park is now completed with some drought resistant planting gave recognition to Public Works for a job well done.*
- *The Beach Front Holiday Stroll is Saturday, December 8<sup>th</sup> from 3:30 to 4:30 pm, start at the Spoon Trade to pick up your passport for the event.*
- *The launch of the broadband fiber network, announcing the new public/private partnership with Digital West will be Friday, December 7<sup>th</sup> at 11:30 am.*

### **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 7:41 p.m.

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JOHN P. SHOALS, MAYOR

Attest:

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WENDI SIMS, ACTING CITY CLERK  
(Approved at CC Mtg \_\_\_\_\_)

**MINUTES  
SPECIAL CITY COUNCIL MEETING  
MONDAY, DECEMBER 10, 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 Bibi Shah, a 9 year old, 4<sup>th</sup> Grade student from Grover Heights Elementary School.

**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, Community Development Director Bruce Buckingham, Public Works Director/City Engineer Greg Ray, and Parks & Recreation Program Director Kathy Petker were also present.

Also present was Fire Chief Steve Lieberman,

**GENERAL MUNICIPAL ELECTION MATTERS**

**1. Certification of the Results for the General Municipal Election Held on Tuesday, November 8, 2016.**

Mayor Shoals read the title to the foregoing item and deferred to staff for a report. Acting City Clerk Sims provided an overview of the November 6, 2018 General Municipal Election. For the office of Mayor, Jeff Lee received the highest number of votes to serve the two year term of office. For the two seats for the office of Council Member, Barbara Nicolls and Mariam Shah received the highest number of votes to serve four-year terms of office. For the ballot measures

**Action:** It was moved by Council Member Peterson and seconded by Mayor Pro Tem Lee to adopt Resolution No. 18-105 declaring the results of the General Municipal Election held on November 6, 2018. 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.

**Resolution No. 18-105: A Resolution of the City Council of the City of Grover Beach, California, Reciting the Fact of the General Municipal Election Held on November 6, 2018, Declaring the Result and Such Other Matters as Provided by Law.**

## **2. City Presentation to Major John Shoals and Opportunity for Comments.**

The following individuals thanked and praised outgoing Mayor Shoals for his public service:

- Adam Hill, Supervisor, District 3, San Luis Obispo Board of Supervisors; and
- Ed Waage, Mayor, City of Pismo Beach.

## **3. Swearing-in Ceremony and Seating of Directly-elected Mayor and New Council Members.**

Acting City Clerk Sims administered the Oaths of Office and presented Certificates of Election to Mayor Jeff Lee, Council Member Barbara Nicolls, and Council Member Mariam Shah.

The newly elected officials were then seated at the dais.

## **ROLL CALL**

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

**PUBLIC COMMUNICATIONS** Mayor Lee opened the floor to any member of the public for comment on any items listed on the agenda. No public comments were received at this time.

## **BUSINESS**

### **4. Comments from Newly Elected Officials**

Council Member Barbara Nicolls thanked the citizens of Grover Beach for her re-election to 4 more years to get a lot more done.

Council Member Mariam Shah commented that campaigning was the strangest job interview she has ever had, but appreciates the community for having faith in her. She also thanked her family and friends for their support.

Mayor Jeff Lee thanked his wife Mary along with his campaign staff, family and friends who supported him. He also acknowledged all other candidates who ran for council from whom he learned more about Grover Beach. Mayor Lee also thanked city staff for their hard work and professionalism during the election process and added that the city will continue to strive to meet its goals it has set and encouraged the city's citizens to be involved in city government and its activities.

### **5. Appointment of Mayor Pro Tem for 2019**

Mayor Lee read the title to the foregoing item and deferred to staff for a report. City Attorney Hale reviewed the City's regulations regarding the process for the incoming directly-elected Mayor to select a Mayor Pro Tem for the one-year period of December 2018 through December 2019, in accordance with Resolution No. 08-18.

**Action:** Mayor Lee appointed Mariam Shah as Mayor Pro Tem for the one-year period of December 2018 through December 2019, effective immediately.

**6. City Council Meeting Schedule for Calendar Year 2019**

Mayor Lee read the title to the foregoing item and deferred to staff. City Manager Bronson gave the brief explanation of the schedule for the City Council meeting for the upcoming calendar year.

**Action:** The motion was made by Council Member Nicolls and seconded by Mayor Pro Tem Shah to adopt the proposed City Council meeting schedule for calendar year 2019. The motion carried 4 – 0 on a voice vote.

**7. Procedure for Filling Vacant Council Seat**

Mayor Lee read the title to the foregoing item and deferred to staff for a report. City Attorney Hale provided an overview regarding procedures pursuant to state law for filling a vacancy on the City Council due to the election of Mayor Pro Tem Lee to the position of Mayor. He noted there was a 60-day deadline from the commencement of the vacancy to either fill the vacancy by appointment or call for a special election to fill the vacancy.

Brief Council discussion was held regarding the processes to fill the vacancy.

**Action:** The motion was made by Council Member Nicolls and seconded by Mayor Pro Tem Shah to:

- 1) Authorized soliciting application of interest from qualified residents of Grover Beach who were interested in being appointed to the City Council to serve the remaining two years of the term vacated by Mayor Pro Tem Lee's election to Mayor;
- 2) Set the deadline of Friday, December 21, 2018 at 5:00 p.m. for receipt of letters of interest; and
- 3) Selected the City Council meeting date of Monday, January 7, 2019 to include Council candidate interviews

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

**ADJOURNMENT**

There being no further business to come before the City Council, Mayor Lee adjourned the meeting at 7:01 p.m.

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JEFF LEE, MAYOR

Attest:

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WENDI SIMS, ACTING CITY CLERK  
(Approved at CC Mtg \_\_\_\_\_)