

**MINUTES
CITY COUNCIL MEETING
MONDAY, OCTOBER 5, 2015**

CALL TO ORDER Mayor Shoals called the meeting to order at 6:30 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 Paige Woods, a 12-year-old, 6th grade student at Grover Heights Elementary School.

ROLL CALL

City Council: Council Members Karen Bright, Barbara Nicolls, Mariam Shah, Mayor Pro Tem Jeff Lee, and Mayor John Shoals were present.

City Staff: City Manager Robert Perrault, Human Resources Coordinator/Deputy City Clerk Channelle Hubbard, Police Chief John Peters, Community Development Director Bruce Buckingham, and Public Works Director/City Engineer Greg Ray were also present.

City Attorney Martin Koczanowicz arrived at approximately 7:10 p.m.

Also present were Fire Chief Steve Lieberman, Five Cities Fire Authority; and Peter Williamson, San Luis Obispo Regional Rideshare.

CLOSED SESSION ANNOUNCEMENTS

Due to the late arrival of the City Attorney, Closed Session announcements were read towards the end of the meeting.

AGENDA REVIEW

City Manager Perrault announced that the City had received a request from Phillips 66 to continue Consent Agenda Item No. 5 to the City Council meeting on Monday, November 16, 2015.

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

PRESENTATIONS

1. Presentation by SLO Regional Rideshare Regarding “Rideshare Month”.

Peter Williamson, Employer Outreach Coordinator of SLO Regional Rideshare, provided a presentation on “Rideshare Week” and briefly described the various transportation programs available to children, commuters, senior citizens, and individuals with disabilities. He continued by sharing information regarding “Rideshare Week” from October 5th through October 9th, the “I Ride Share” program, and announced that International Walk to School day would be on Wednesday, October 7th.

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. The following individuals expressed concerns regarding the use of Polystyrene foam products, or Styrofoam, described health and environmental hazards associated with its use, and urged the Council to adopt regulations prohibiting its use:

- Anita Shower, Grover Beach resident;
- Robert Robert, Grover Beach resident;
- Sarah Bellermo, Surfrider Foundation;
- Janine Rands, SLO Foam Free Coalition, distributed a brochure entitled, “SLO Foam Free”;
- Deene Shahinian, Grover Beach resident;
- Steve Schumann, Grover Beach resident; and
- Judith Bernstein, Arroyo Grande resident, suggested contacting Greg Hermann at the City of San Luis Obispo to schedule a PowerPoint presentation on this issue, and to coordinate efforts with nearby communities.

- B. Sharon Brown, Grover Beach resident, announced details of the following events: 1) a book sale at the Grover Beach Community Library on Saturday, October 20th; and 2) the Central Coast Follies' Annual Benefit for Parkinson's Research. She noted additional performances at the Clark Center for the Performing Arts were scheduled from Friday, October 9th through Sunday, October 11th. She also praised Mayor Shoals for his performance as a guest Master of Ceremonies at the benefit.
- C. John Wysong, Grover Beach resident, expressed concerns regarding recent street construction work and waterline repairs on Brighton Avenue.
- D. Patty Walsh, Arroyo Grande resident, spoke in support of the Grover Beach Community Library book sale.
- E. Linda McClure, Grover Beach resident and business owner, described activities held at the recent car show event and praised the efforts of participants and City staff for its success.
- F. Fire Chief Steve Lieberman, Five Cities Fire Authority, announced activities to be held during "Fire Prevention Week" and distributed flyers regarding a free Fire Prevention and Life Safety event to be held at Ramona Garden Park on Saturday, October 11th.

There were no further public comments received and the Mayor closed this portion of the public comment period.

PUBLIC HEARINGS

None at this time.

CONSENT AGENDA

It was noted that Council Member Nicolls had earlier provided the City Manager with typographical corrections to the draft letter in Consent Agenda Item No. 6. It was moved by Mayor Pro Tem Lee and seconded by Council Member Bright to approve Consent Agenda Item Nos. 2, 3, and 4, as recommended; approve Consent Agenda Item No. 6, as amended; and continue Item No. 5 to the City Council meeting of November 16, 2015. The motion carried on the following roll call vote:

AYES: Council Members Bright, Nicolls, 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 September 15, 2015 - September 29, 2015.**
Action: Approved the Treasurer's Report as submitted.
- 3. **Treasurer's Report for the Streets Bond Account (Measure K-14: Grover Beach Street Rehabilitation; Safety Improvement Bond Measure) for the Period September 15, 2015 - September 29, 2015.**
Action: Approved the Treasurer's Report as submitted.
- 4. **Minutes of the Following City Council Meetings:**
 - **Special Joint City Council and Parks, Recreation & Beautification Commission Meeting on Thursday, September 3, 2015;**
 - **Special City Council Meeting on Tuesday, September 8, 2015; and**
 - **Regular City Council Meeting on Tuesday, September 8, 2015****Action:** Approved the minutes as submitted.
- 5. **Consideration of Approval of a Franchise Agreement with Phillips 66 to Maintain a Pipeline Franchise.**
Action: As announced earlier during Agenda Review, this item was pulled from the agenda and continued to the City Council meeting of Monday, November 16, 2015 at 6:30 p.m.

6. **Consideration of a Letter to the San Luis Obispo County Planning Commission Regarding Rail Traffic through Grover Beach and the Phillips 66 Rail Spur Project** - Consider a draft letter that reflects the Council's acknowledgment of the high priority placed on safety at the current Phillips 66 Santa Maria Refinery, and also reflects the Council's strong opposition to any project (including the refinery expansion) which carries with it the potential to increase the safety risk on a regional basis.
Action: Authorized the Mayor to execute the letter, as amended, to the San Luis Obispo County Planning Commission.

REGULAR BUSINESS

Prior to discussion of Agenda item No. 7, Mayor Shoals declared a conflict of interest due to his role as the City's primary representative on the South San Luis Obispo County Board of Directors. He then stepped down from the dais and left the Council Chambers.

7. **Consideration of Entering into an Agreement with the South San Luis Obispo County Sanitation District to Provide Billing Services.**

Mayor Pro Tem Lee announced the foregoing item and deferred to staff for a report. City Manager Perrault briefly described the City's current process for providing billing services to utility customers in Grover Beach on behalf of the Sanitation District. He then described the proposed billing formula and the recommendation to formalize the process in the form of a contract. Staff then responded to questions from the Council.

Brief discussion was held regarding the number of utility customers being billed, costs, and terms of the agreement.

Upon request, City Attorney Koczanowicz suggested amending the draft agreement (added text denoted with double underline, deleted text denoted with ~~strikeout~~) as follows:

Section 15. Authority to Execute This Agreement. The person or persons executing this Agreement on behalf of ~~the City~~ each party warrants and represents that he/she has the authority to execute this Agreement on behalf of ~~the City~~ that party and has the authority to bind ~~the City~~ that party to the performance of its obligations hereunder.

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

Sharon Brown, Grover Beach resident, spoke in support of each participating agency entering into a formal contract for billing services.

John Wysong, Grover Beach resident, spoke in support of pursuing methods to recycle water in order to conserve the water supply.

Patty Walsh, Arroyo Grande, commented on the lengthy deliberations that have transpired at the Sanitation District Board meetings regarding this issue.

No further public comments were received at this time.

Additional Council discussion was held regarding the proposed formula for billing services and the alternative approach being taken by the City of Arroyo Grande and the Oceano Community Services District.

Action: Upon consensus of the City Council, the Council provided direction for staff to complete negotiations for a billing services contract with the Sanitation District, communicate the Council's preference for a billing service based on actual cost and agreement on the validity of working with other member entities to find a common approach. Further, the language of the agreement was acceptable with minor modifications: removing the termination date and minor edits to Section 15 (replacing "the City" with "each party" or "that party").

Recess: Upon consensus of the City Council, the meeting recessed at 7:54 p.m.
Reconvene: At 8:02 p.m., the meeting reconvened with all Council Members present.

8. Status Report Regarding Capital Improvement Projects.

City Manager Perrault provided an update regarding the status of Capital Improvement Projects, which included a review of project scope, budget, and milestones for 29 projects representing \$9.8 million. He noted staff continues to focus City resources on Council priority projects. Staff then responded to questions from the Council.

Brief discussion was held regarding the intersection of West Grand Avenue and Oak Park Boulevard and the Street Rehabilitation Projects.

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

No public comments were received on this item; however, Mayor Shoals noted a member of the audience had earlier requested to speak on Agenda Item No. 6.

ORDER OF THE DAY: At this time, Mayor Shoals acknowledged receipt of a speaker request form that had inadvertently been overlooked. He then invited public comment regarding that item.

Sharon Brown, Grover Beach resident, expressed concerns regarding rail traffic through Grover Beach and noted that railcars blocking West Grand Avenue would impede emergency access to the beach.

Upon request, Police Chief Peters responded, in the event access was blocked at the railroad tracks on West Grand Avenue, other agencies would be available to respond directly to emergencies located on the beach and Highway One. He also noted there were alternate routes available for emergency responders located east of the railroad tracks.

There were no further comments received at this time.

Brief Council discussion was held regarding the draft letter that was approved earlier, and that a similar comment had been included in the letter addressed to the Secretary of Transportation. Therefore, no further amendments to the letter addressed to the County Planning Commission were necessary.

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

Action: The status report regarding the Capital Improvement Projects was received and filed.

PULLED CONSENT AGENDA ITEMS

None at this time.

COUNCIL COMMITTEE REPORTS

Council Member Bright stated that she had no committee reports at this time.

Council Member Shah reported on meetings of the Housing Trust Fund, Homeless Services Oversight Council, and Visit San Luis Obispo County. She also commented on the success of the City booth at this year's Savor the Central Coast event.

Council Member Nicolls reported on meetings of the Community Action Partnership of San Luis Obispo County, South County Transit, and the Water Resources Advisory Committee. It was also noted that, as the City's alternate representative, she had attended the meeting of the Five Cities Fire Authority.

Mayor Pro Tem Lee reported on the meeting of the Economic Vitality Corporation. He then commented on the success of the Five Cities Homeless Coalition's recent Empty Bowls fund raiser and the success of the Coalition's programs to house individuals and families.

Mayor Shoals stated that he had no committee reports at this time. He then briefly outlined items to be discussed at upcoming meetings of the South San Luis Obispo County Sanitation District.

COUNCIL COMMUNICATIONS

- A. Council Member Bright inquired whether there was any interest in scheduling a presentation regarding issues raised earlier during the Public Comment period regarding use of Polystyrene foam/Styrofoam products, as well as amendments to the City's special event regulations.

Brief discussion was held.

City Manager Perrault noted that staff would prepare an outline of proposed changes to the City's special event regulations for review and input by the City Council requesting direction prior to drafting a proposed ordinance amendment. Additionally, the outline was tentatively scheduled for a City Council meeting in November.

Action: Upon consensus, the Council authorized inviting a representative from the City of San Luis Obispo to provide a presentation regarding use of Polystyrene foam/Styrofoam at a future City Council meeting.

- B. Council Member Shah announced that activities for Fire Prevention Month were also scheduled to be held at the San Luis Obispo County Airport. Additionally, Council Members were invited to attend a groundbreaking event on Saturday, October 10th for the airport expansion project. She then announced the City was sponsoring a free Cal Poly Women's Basketball Clinic for children on Sunday, October 11th from 9:00 a.m. - 11:00 a.m. at the Mentone Basin Park.
- C. Members of the City Council then briefly described information presented at various sessions during the Annual League of California Cities Conference held in San Jose.

CITY MANAGER'S REPORTS AND COMMENTS

City Manager Perrault stated that the consulting firm Management Partners would begin undertaking a review of City operations on Tuesday, October 6th. He also noted that Avery Associates was scheduled to begin preliminary work on Thursday, October 15th regarding the recruitment process for a new City Manager.

CITY ATTORNEY'S REPORTS AND COMMENTS

None at this time.

ORDER OF THE DAY At this time, City Attorney Koczanowicz read the following announcement:

CLOSED SESSION ANNOUNCEMENTS

On Monday, September 21, 2015 after meeting in Closed Session regarding:

1. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager Robert Perrault, Special Counsel Che Johnson, Administrative Services Director Gayla Chapman, Assistant Administrative Services Director Eve Byrd, and Human Resources Coordinator/Deputy City Clerk Channelle Hubbard
Represented Employee Group: Grover Beach Police Officers' Association (GBPOA)
2. Conference with Labor Negotiators
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager Robert Perrault, Special Counsel Che Johnson, Administrative Services Director Gayla Chapman, Assistant Administrative Services Director Eve Byrd, and Human Resources Coordinator/Deputy City Clerk Channelle Hubbard (May include some or all of the above)
Represented Employee Group: General Employees - (SEIU) Service Employees International Union, Local 620

3. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: APN 060-381-010, 011
Agency negotiator: City Manager and City Attorney
Negotiating party: Pacifica Companies
Under negotiation: Terms and conditions of potential lease.

the City Council reconvened into open session and announced there were no reportable actions taken.

ORDER OF THE DAY At this time, the Order of the Day resumed to the agenda as posted.

CLOSED SESSION

At 9:49 p.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: City Manager Robert Perrault, Special Counsel Che Johnson, Administrative Services Director Gayla Chapman, Assistant Administrative Services Director Eve Byrd, and Human Resources Coordinator/Deputy City Clerk Channelle Hubbard (May include some or all of the above)
Represented Employee Groups: General Employees - Service Employees International Union (SEIU), Local 620, and Grover Beach Police Officers' Association (GBPOA)
2. **Conference with Labor Negotiators**
Pursuant to Government Code Section 54957.6.
Agency Negotiator: City Manager Robert Perrault and Administrative Services Director Gayla Chapman
Unrepresented Employee Groups: Management & Confidential Employees
3. **Conference with Real Property Negotiators**
Pursuant to Government Code Section 54956.8
Property: APN 060-381-010, 011
Agency negotiator: City Manager and City Attorney
Negotiating party: Pacifica Companies
Under negotiation: Terms and conditions of potential lease.
4. **Public Employee Performance Evaluation**
Pursuant to Government Code Section 54957
Employee (*Position Title*): City Manager

Closed Session Announcements: At 10:40 p.m., Mayor Shoals reconvened the meeting in open session with all Council Members present. It was announced that there were no reportable actions taken during Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Shoals adjourned the meeting at 10:41 p.m.

/s/ JOHN P. SHOALS, MAYOR

Attest:

/s/ CHANNELLE HUBBARD, DEPUTY CITY CLERK
(Approved at CC Mtg 11/16/2015)